2718. By Mr. EATON of California: Resolution adopted at the Twentieth Annual Convention of the Associated General Contractors of America at San Francisco, Calif., March 6–10, 1939, urging that the utilization of the vehicle of public-works construction to meet existing or future emergencies should be handled by an agency constituted for that purpose only, with authority to assist in the advance planning of projects; and that in the execution of such projects the costs should be fixed as a result of competitive bids and the contract awarded to the lowest qualified bidder; and that the administration of such emergency program of public-works construction be handled by such agency and none other; to the Committee on Appropriations.

2719. By Mr. ENGEL: Petition of Mr. and Mrs. Frank Emery, Mr. and Mrs. Ben Wyma, Mr. and Mrs. Claude Young, and others of Missaukee County, Mich., urging the strengthening of our neutrality policy to avoid all foreign entanglements which might lead to war; to the Committee on Foreign Affairs.

2720. By Mr. FLAHERTY: Memorial of the General Court of Massachusetts, favoring legislation increasing the amounts of old-age assistance payable by the Federal Government to States and their political subdivisions; to the Committee on Ways and Means.

2721. By Mr. HART: Petition of the Associated General Contractors of New Jersey, protesting against the enactment of Senate bill 2202 to consolidate the Public Works Administration, Works Progress Administration, Civilian Conservation Corps, Bureau of Public Roads, and the Procurement Division of the Treasury Department; to the Committee on Appropriations.

2722. By Mr. JOHNS: Petition of 122 dairy farmers stating that we, the undersigned dairy farmers of Outagamie County, Wis., being sorely pressed to pay our taxes and make a living due to the low prices of dairy products and the high prices that we have to pay for the things we buy, do hereby respectfully petition the Congress of the United States to approve the Wisconsin dairy program; to the Committee on Agriculture.

2723. By Mr. MARTIN J. KENNEDY: Petition of Charles of the Ritz, New York City, urging support of House bill 5630; to the Committee on Interstate and Foreign Commerce.

2724. Also, petition of the Industrial Home for the Blind, Brooklyn, urging support of House bill 5136; to the Committee on the Library.

2725. Also, petition of Local No. 31, National Association of Post Office Mechanics, Oyster Bay, N. Y., urging support of House bill 892; to the Committee on the Post Office and Post Roads.

2726. By Mr. KEOGH: Petition of the American Trucking Association, Inc., Washington, D. C., concerning Senate bill 2009, transportation bill; to the Committee on Interstate and Foreign Commerce.

2727. Also, petition of the Dressmakers Union of New York City, concerning House bill 210, the Celler bill; House bill 4369, the Lesinski bill; and House bill 3215, the McCormack bill; to the Committee on Immigration and Naturalization.

2728. Also, petition of the Dressmakers Union, New York City, opposing the Hobbs bill (H. R. 5643); to the Committee on the Judiciary.

2729. Also, petition of the Transport Workers Union of America, Michael J. Quill, president, New York City, favoring the passage of House bill 2888, providing for additional appropriation of $800,000,000 to the United States Housing Authority for slum clearance and decent housing; to the Committee on Appropriations.

2730. By Mr. LEAVY: Petition of the Sportsmen's Association of Pateros, Okanogan County, Wash., urging that, in the contemplated reorganization of Government agencies, the national forests, Federal grazing ranges, migratory fowl and small bird protection and conservation programs, water pollution, and other kindred matters all be administered by a Department of Conservation, unhampered by the care of unrelated affairs; to the Select Committee on Government Organization.

2731. By Mr. LEWIS of Ohio: Petition of 27 elders and ministers of the St. Clairsville presbytery of the Eighteenth Congressional District of Ohio, protesting against the sale by the United States of such materials as cotton, oil, iron, and finished products to Japan to aid them in their aggression against China; to the Committee on Foreign Affairs.

2732. By Mr. MAGNUSON: Petition of the Washington Temperance Association of Seattle, Wash., submitted by W. J. Herwig, educational director, protesting against the advertising of alcoholic beverages over the radio, and urging passage of Senator JOHNSON's bill (S. 517); to the Committee on Interstate and Foreign Commerce.

2733. By Mr. MARTIN of Massachusetts: Memorial of the General Court of Massachusetts, urging amendment of title 1 of the Social Security Act; to the Committee on Ways and Means.

2734. By Mr. PFEIFER: Petition of the American Trucking Association, Inc., Washington, D. C., concerning the transportation bill (S. 2009); to the Committee on Interstate and Foreign Commerce.

2735. Also, petition of the Dressmakers Union, Local 22, New York City, concerning the Hobbs bill (H. R. 5643), and the Smith bill (H. R. 5138), the Celler bill (H. R. 210), the Lesinski bill (H. R. 4369), and the McCormack bill (H. R. 3215); to the Committee on Immigration and Naturalization.

2736. Also, petition of the Transport Workers Union of America, Michael J. Quill, president, New York City, urging support of House bill 2888; to the Committee on Banking and Currency.

2737. By Mrs. ROGERS of Massachusetts: Petition of the General Court of the Commonwealth of Massachusetts, memorializing Congress in favor of legislation increasing the amounts of old-age assistance payable by the Federal Government to States and their political subdivisions; to the Committee on Ways and Means.

2738. By Mr. WIGGLESWORTH: Petition of the General Court of Massachusetts, favoring legislation increasing the amounts of old-age assistance payable by the Federal Government to States and their political subdivisions; to the Committee on Ways and Means.

2739. By the SPEAKER: Petition of Yankton Grange, No. 301, Patrons of Husbandry, 4 miles from St. Helens, Oreg., petitioning consideration of their resolution with reference to Senate bill 1108, concerning exportation of peeler logs; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES

WEDNESDAY, APRIL 26, 1939

The House met at 12 o'clock noon.

Rev. Frederick Brown Harris, D. D., pastor of the Foundry Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Eternal Spirit, high over us all, yet deep within us all, we stand in reverence before Thee as together we face the tasks of this day. Help us to whom the torch of great traditions has been passed to serve the present age and to be loyal to the royal in ourselves. Disarm our minds of prejudice, suspicion, fear, and hatred. May our attitude to Thy other children of any race or nation not add to the poison which threatens the peace and happiness of our common humanity. Above all other loyalties and fealties may our ruling passion be to do justly, to love mercy, and to walk humbly before our God.

We lift before Thee the sacred interests of our Republic. We beseech Thee for high hearts and wise minds. Through all the maddening maze of these troubled times that are trying men's souls may we not be disobedient to the heavenly vision.

And now in this shrine of each patriot's devotion may we be still and know that Thou art God; that Thou wilt be exalted among the nations; Thy kingdom come and Thy will

be done on earth as it is in heaven. We ask it in the ever-blessed Name. Amen.

The Journal of the proceedings of the House was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5287. An act relating to the importation of distilled spirits for consumption at the New York World's Fair, 1939, and the Golden Gate International Exposition of 1939, and to duties on certain articles to be exhibited at the New York World's Fair, 1939.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 527. An act for the relief of J. J. Greenleaf;

S. 765. An act for the relief of Hugh McGuire;

S. 920. An act conferring jurisdiction upon the United States District Court for the District of Montana to hear, determine, and render judgment upon the claim of the estate of Joseph Mihelich;

S. 927. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of Suncrest Orchards, Inc.;

S. 1092. An act for the relief of Sigvard C. Foro;

S. 1160. An act for the relief of Roland Hanson, a minor, and Dr. E. A. Julien;

S. 1372. An act for the relief of W. B. Tucker, Helen W. Tucker, Lonie Meadows, and Susie Meadows;

S. 1448. An act for the relief of Anna H. Rosa;

S. 1812. An act for the relief of A. E. Bostrom;

S. 2126. An act authorizing the Comptroller General of the United States to adjust and settle the claim of E. Devlin, Inc.; and

S. J. Res. 11. Joint resolution directing the Comptroller General to readjust the account between the United States and the State of Vermont.

IMPORTATION OF DISTILLED SPIRITS FOR CONSUMPTION AND DUTIES ON CERTAIN ARTICLES TO BE EXHIBITED AT THE NEW YORK WORLD'S FAIR, 1939

Mr. CULLEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5287) relating to the importation of distilled spirits for consumption at the New York World's Fair, 1939, and the Golden Gate International Exposition of 1939, and to duties on certain articles to be exhibited at the New York World's Fair, 1939, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 10, strike out all after "of" over to and including "spirits", in line 3, page 2, and insert "section 2871 of the Internal Revenue Code."

Page 5, strike out lines 20 to 23, inclusive, and insert:

"SEC. 4. Tourist literature containing scenic, historical, geographic, timetable, travel, hotel, or similar information, chiefly with respect to places or travel facilities outside the continental United States."

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman from New York explain the Senate amendments?

Mr. CULLEN. Surely.

The first amendment is merely a technical amendment making reference to the Internal Revenue Code instead of to the joint resolution.

The second amendment rewrites part of section 4 and restricts the importation of books, pamphlets, and literature to scenic, historical, geographic, timetable, travel, hotel, or similar information. I believe this strengthens section 4 and will have the effect of keeping out a lot of literature that may be brought in from abroad in the nature of propaganda.

Mr. MARTIN of Massachusetts. Is this agreeable to the gentleman from Massachusetts [Mr. TREADWAY], a member of the gentleman's committee?

Mr. CULLEN. I spoke to the gentleman and he agreed to it.

Mr. RICH. Reserving the right to object, Mr. Speaker, in connection with the world's fair that is to be opened on Sunday, I understand a special train will leave Washington this week end to take to the world's fair all Members of Congress and their wives who desire to go. That is fine; but may I ask the gentleman if there will be any obligation on our part, if we take that train ride to New York, to vote later for the additional $3,000,000 that is desired?

Mr. CULLEN. None whatever.

Mr. RICH. We can have the free ride?

Mr. CULLEN. You can have the free ride and enjoy the company and your presence at the fair.

Mr. RICH. That will be fine; and we will meet Grover Whalen?

Mr. CULLEN. Yes; and you will be under no obligation whatever with relation to voting for the $3,000,000.

Mr. RICH. That is fine.

The SPEAKER. Does the gentleman from Pennsylvania withdraw his reservation of objection?

Mr. RICH. I withdraw my reservation of objection, Mr. Speaker.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. HESS and Mr. MICHAEL J. KENNEDY were given permission to extend their own remarks in the RECORD.

PROMOTION OF OFFICERS OF THE NAVY

Mr. SABATH. Mr. Speaker, I call up House Resolution 170 and ask its immediate consideration.

The Clerk read the resolution, as follows:

House Resolution 170

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of H. R. 4929, a bill to amend the act of June 23, 1938 (52 Stat. 944). That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bills and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, does the gentleman from Michigan [Mr. MAPES] desire to yield time under the rule?

Mr. MAPES. Mr. Speaker, there is no opposition to the rule. I understand the minority members have an amendment they desire to propose or discuss in connection with the bill itself.

Mr. SABATH. They will not be foreclosed from offering any amendment, because this is a broad and liberal rule, as is usually reported by the Rules Committee.

Mr. WOODRUM of Virginia. Mr. Speaker, will the gentleman from Illinois yield for a unanimous-consent request?

Mr. SABATH. I yield to the gentleman from Virginia.

SECOND DEFICIENCY APPROPRIATION BILL, 1939

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent that the conferees may have until midnight tonight to file a conference report on the second deficiency appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

EXTENSION OF REMARKS

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD by inserting therein a speech made at Lynchburg by the chairman of the Democratic National Committee on April 13 and an introduction by the senior Senator from Virginia.

Mr. RICH. Reserving the right to object, Mr. Speaker, the gentleman says this speech was made by the Democratic national chairman. Is that Mr. Farley, the Postmaster General?

Mr. WOODRUM of Virginia. That is the gentleman.

Mr. RICH. Are these speeches of Mr. Farley's that we are printing all the time at Government expense for the welfare of the country or for the benefit of the Democratic Party?

Mr. WOODRUM of Virginia. I may say to the gentleman that whatever is for the benefit of the Democratic Party is for the good of the country. [Applause.]

Mr. RICH. That might be all right if the gentleman is speaking of Jeffersonian Democrats, but the gentleman who made the speech is a new dealer. Does the gentleman figure that the New Deal is a part of the Jeffersonian Democratic Party?

Mr. WOODRUM of Virginia. I believe the New Deal has done many things that have saved the country.

Mr. RICH. It is wrecking the country. If the gentleman will look at the financial statement of the Treasury, he will come to that conclusion, and I know the gentleman has realized it.

The SPEAKER. Does the gentleman from Pennsylvania withdraw his reservation of objection?

Mr. RICH. I will permit the speech to go in the RECORD this time, but I hope after this they will keep out of the RECORD a good many of the speeches by Mr. Farley, because he has more speeches printed in the RECORD than any other public official.

The SPEAKER. The Chair hears no objection.

Mr. CANNON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Missouri.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address by Dr. H. G. Harmon, president of William Woods College.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. LUDLOW submitted a conference report and statement on the bill (H. R. 4492) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1940, and for other purposes.

PROMOTION OF OFFICERS IN THE NAVY

Mr. SABATH. Mr. Speaker, this resolution makes in order the bill H. R. 4929, a measure that has been unanimously reported by the Naval Affairs Committee. There is no opposition, as I understand, either to the bill or the rule.

All the bill aims to do is to provide for more orderly promotion in the Navy Department; and in view of the fact that the minority does not desire any time on the rule, Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. VINSON of Georgia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4929) to amend the act of June 23, 1938 (52 Stat. 944).

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4929, with Mr. JONES of Texas in the chair.

The Clerk read the title of the bill.

Mr. VINSON of Georgia, Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON of Georgia. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the object and purpose of the proposed bill is to iron out and remove inequities that have been found to exist in the selection law that was passed during the last session of Congress.

Experience has shown that in any personnel legislation of any magnitude not all provisions are perfect and produce the results desired. Therefore, the sole object and purpose of the proposed bill is to make certain changes to improve the act and to facilitate its operation and thereby be more equitable to the officer personnel of the Navy.

I shall briefly explain each and every one of the amendments so you can readily understand what is proposed and the reason why the changes are necessary.

The first two amendments relate to the composition of the selection board. Under the law today—that is, the Selection Act of June 23, 1938—the Secretary of the Navy designates a board of nine rear admirals to consider promotion of officers who are in the grade of lieutenant commander to the grade of commander. The law also prohibits a member from serving on two successive boards.

We proposed to change that by having a board consisting of three rear admirals and six captains. The reason why the change is proposed is in view of the fact that under the present law no member of a board can serve in successive years, and the Navy Department experienced difficulty in getting rear admirals who could serve on the boards because their duties scatter them all over the country, and it is costly to assemble them and also it interferes with their duties.

With six captains on the board, it places a majority of officers in rank nearer to that of lieutenant commander and who naturally will be in a better position to know of the actual performance of duty of the officers considered for promotion.

The other amendment prohibits the commander in chief of the fleet from serving on a selection board.

The presence of the commander in chief of the fleet on any selection board might tend to have, though unconsciously, an effect upon the decision of officers serving on the board.

There can be no doubt that these two amendments relating to the composition of the board will bring about much improvement in the selection law.

The next amendment relates to the "physical condition" and "medical records" of the officers to be considered by the selection board.

Under the law today the Secretary of the Navy submits to the selection board, first, the number of vacancies to be filled in each grade; second, the names of all officers eligible for consideration for promotion in each grade. No officer's name can be submitted for consideration by the selection board who is not physically qualified. Therefore you will observe that physical qualifications is one of the prerequisites before the selection board can consider an officer.

The amendment proposes to change that by making it unnecessary to have a physical examination before the officer's name is certified by the Secretary as eligible for consideration by the selection board.

This change is brought about by the administrative difficulties encountered when it comes time to certify to the board that the officer whose name is submitted for consideration is physically qualified.

In practice it is an impossibility to hold last-minute physical examinations on each of the 1,000 or more officers eligible annually for selection.

All officers of the Navy are given an annual physical examination and anyone who is found physically disqualified to perform all of his duties is automatically ordered before a retiring board if his disability is of a permanent nature. Again, an officer may be temporarily physically disqualified

or may be on duty where examination cannot be arranged to determine his physical condition.

By the selection board's considering his medical record you can rest assured that no officer who is not physically qualified to perform his duties will be selected.

After an officer has been selected, before he is promoted, he must stand a physical examination.

The amendment simply puts the physical examination after he has been selected for promotion instead of making it a condition for consideration by the selection board.

The next amendment simply supplies language to continue the previous practice under the prior law in the selection of additional-number officers. Officers who are additional numbers in a grade are not counted in the total number authorized by law to be in that grade, and, for the same reason, should not, when selected, be counted in the number designated to be selected to fill the vacancies in the next higher grade. It was the intent that these additional-number officers should not be counted, but the interpretation of the law is that they do count, and the amendment proposed to the act will eliminate all doubt.

Forty-eight officers known as "aeronautical engineering duty only officers," 67 officers known as "engineering duty only officers," and 17 officers carried as extra numbers provided for by acts of Congress, making a total of 132 officers, are carried as extra or additional numbers in the service, and these additional number officers are not counted in the distribution of officers in the various grades as provided by law.

The sixth amendment combines subsection (d) and (e) of section 9 of the act of June 23, 1938.

Section (d) prohibits "aeronautical engineering duty only" officers from succeeding to command on shore. However, officers assigned to "engineering duty only" were permitted to succeed to command on shore.

The proposed amendment, by combining subsections (d) and (e), removes the restrictions against officers performing "aeronautical engineering duty only" by being permitted to command on shore. It permits them to be ordered to command on shore only when ordered to do so by the Secretary of the Navy.

It also provides that the recommendation of the selection boards in the cases of officers of this class shall be based upon their comparative fitness for the duties prescribed for them by law, the same provisions that are now applied to officers assigned to "engineering duty only."

In other words, it simply places officers assigned to "aeronautical engineering duty only" on the identical basis with officers assigned to "engineering duty only."

The next amendment relates to the decision of the selection board for promotion, retention, and so forth, being by a two-thirds vote.

As the bill passed the House last year, the selection boards had but two functions. They were to select officers as best fitted for promotion and to designate those adjudged as fitted for promotion.

Both of these functions require a two-thirds vote of the selection board. However, three more functions were added to the duties of the selection board by the final act. These are: First, choosing which of the officers adjudged fitted for promotion should be retained on the active list; second, designating unsatisfactory officers for discharge; and third, designating inapt lieutenants, junior grade, for revocation of commission. As there is no specific authority of law stating that these three additional functions of the selection board require a two-thirds vote, the Navy Department has ruled that the action of the selection board requires only a majority vote.

As these three functions are more or less punitive in nature, it is believed that all of the actions of the selection board should be by two-thirds vote, and that is what this bill will provide.

Under the act of June 23, 1938, there is no general retirement-pay clause in the act; nevertheless, reference is made to retired pay. To clear up the same it is necessary that some positive statement be made as to how retirement pay shall be computed, and therefore we are amending section 11 to take care of this situation, and the retired pay referred to in the selection law is the same as under the general law.

The next amendment deals with giving fitted officers not retained the same consideration as fitted officers retained.

Under the law today fitted officers that are designated by the President for retention when they retire receive the retired pay of their rank; however, officers who are classified by the selection board as fitted but not retained are retired with only the rank and not the retired pay of that rank.

This amendment restores to them the pay of the rank when retired as a fitted officer.

The next amendment, which provides:

Provided further, That until June 30, 1944, such officers shall not be retired until they shall have completed the periods of commissioned service prescribed for their respective grades in subsection (d) of this section for fitted officers recommended for retention on the active list—

is the most important amendment in the bill. It is a committee amendment.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. McCORMACK. The gentleman is aware of the fact that I have introduced a bill relating to certain staff officers. Is it the gentleman's intention to add any amendment of that kind to this bill?

Mr. VINSON of Georgia. The pending bill relates only to the line and not to the staff.

Mr. McCORMACK. The gentleman is not going to put in an amendment to this bill calling for a survey of the staff officers?

Mr. VINSON of Georgia. I have not reached that phase in my remarks.

Mr. McCORMACK. Does the gentleman intend to do that?

Mr. VINSON of Georgia. That is under consideration.

Mr. McCORMACK. If the gentleman is not going to do that, it would be very convenient for me to know it, because I am for the bill, but if the gentleman intends to do that, I shall have to forego attending to some other important matters.

Mr. VINSON of Georgia. We trust the Committee will have the benefit of the presence of the gentleman during the consideration of the bill and that the gentleman will stay here.

Mr. McCORMACK. Will the gentleman frankly advise me whether he intends to offer an amendment providing for such a survey?

Mr. VINSON of Georgia. Not right now.

Mr. McCORMACK. Does the gentleman intend to do that in connection with the consideration of this bill?

Mr. VINSON of Georgia. I cannot answer that question now. I will talk to the gentleman after I have finished my remarks.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. ANDREWS. Is there any provision in this bill in any way affecting any retired officer?

Mr. VINSON of Georgia. Not at all.

As I have stated, this is the most important amendment in the bill and it is a committee amendment.

Under the method of selection, the selection board designates the officers of each grade who are best fitted and who are fitted. In view of the fact that in each grade there is a limited number of vacancies, it naturally follows that but a small percentage of officers considered for promotion will be classified as best-fitted officers. A large majority of officers, due to shortage of vacancies in each grade, are classified as fitted officers.

It is the policy of the Navy Department to retain 20 percent of fitted officers in the grade of commander; 70 percent of the fitted officers in the grade of lieutenant commander.

The Naval Affairs Committee believes that in view of the expansion of the Navy both in ships and aircraft, and in view of the unsettled world conditions as they exist today, the Navy should retain the services of all these officers, at least until 1944, who have been adjudged as fitted by the selection board.

There would be retired from the service today 23 captains and 33 commanders. The country and the Navy needs the services of these officers at this time.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. WALTER. Does this bill take care of those naval aviators to whom the Government owes at least a moral debt?

Mr. VINSON of Georgia. It takes care of every officer who is classified as fitted, and not ordered to be retained by the President, up until he has served at least 30 years in the rank of captain, 28 years in the rank of commander, and 26 years in the rank of lieutenant commander. That is the amendment that I am discussing now. It will retain in the service during this period, from now to 1944, approximately some 250 or 300 officers who otherwise would go out as fitted officers.

There can be no justification with the expansion of the Navy for the wholesale retirement that is brought about among fitted officers.

Now, of course, when the selection board fails to designate an officer as best fitted or as fitted, the officer goes out of the service under certain conditions as the law applies in his case.

The retention as provided for in this amendment will not only save for the country and the Navy, but it will give the officer personnel a more secure feeling insofar as a career in the Navy is concerned, and it will permit the officers adjudged as fitted to remain in the service until 1944 or until they have completed 30, 28, and 26 years, respectively, of commissioned service in the Navy. Thirty years for captains, 28 years for commanders, and 26 years for lieutenant commanders.

In plain language this amendment keeps in the service all officers designated by the selection board as fitted officers whether he be assigned to "engineering duty only," "aeronautical engineering duty only," or to duty in the line.

I earnestly hope that there will be no hesitancy on the part of the House in approving this section, for it means the retention of some 300 officers between now and 1944 who would go on the retired list without this amendment.

In the redraft of subsection k of section 12, the same purposes are served that are now provided in this subsection of the act, with a slight extension of the second proviso. This proviso covers the promotion on the retirement of World War lieutenants. In the law as it stands today, it applies only to such lieutenants as are retired consequent to failure of selection as best fitted and of adjudgment as fitted. As extended in the redraft, it provides that those lieutenants "retired under any provision of law" are promoted upon retirement.

The last amendment to the act as provided in the bill providing for the discharge of lieutenants (junior grade) reported by the selection board as "lacking in aptitude for the naval service" restricts the application to those junior lieutenants who are serving under probationary appointments. In other words, it will not apply to those who have already passed through the probationary appointment as provided under a prior law.

Now, let me digress to say that we have just cause to be proud of the officer and enlisted personnel of our Navy.

The officers, while midshipmen at the Naval Academy, receive the finest education that it is possible for them to get during the 4 years at that institution and upon graduation officers do not put aside their books and consider their education complete. All through their careers they are studying and taking postgraduate and Naval War College courses as well as constantly reading to keep abreast of the times in engineering, gunnery, seamanship, and navigation. I measure my words when I say that our officer personnel is not surpassed by that of any other naval power.

Our enlisted personnel is composed of virile young men unsurpassed by any other similar body of men in the world. Every one of them is given a searching investigation, and he must come up to the high standard set before being accepted for enlistment. The education of our average enlisted man consists of about 3 years of high-school work.

Wherever they go or whatever they do, they reflect credit not only upon the Navy but upon the country as well.

There can be no comparison between the enlisted man of today with the enlisted man of yesterday.

If at any time our Navy is put to the test, the country can rest assured that these young men, led by our capable officers, will make history that you and I and generations to come will be proud to read.

There is no doubt in my mind but that the personnel of the Navy will more than live up to the highest traditions as set by such immortals as John Paul Jones, Perry, Farragut, Dewey, Schley, and others. [Applause.]

Mr. MAAS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. COLE].

Mr. COLE of New York. Mr. Chairman, while I am in complete approval of the general purposes of the bill, it does contain an amendment proposed by the committee of sufficient importance to justify me, I believe, in bringing it to the special attention of the membership of the Committee because eventually it will affect every single one of us in our appointments to the academy at Annapolis. I refer to the amendment which the chairman emphasized, found on page 3 of the bill—an amendment to section 12 of the present Promotion Act. The effect of this amendment will be to keep in active service all fitted officers who otherwise would be let out of the service.

It is not a pleasant duty for me, a member of the committee, to take the floor in opposition to a committee amendment, but I do feel that the Committee should have an explanation of the matter.

For several years one of the principal problems of the Navy Department has been to work out a program through which the officer personnel would be promoted, which would be equitable and fair to all. After several efforts the Promotion Act of 1938 was adopted. The purpose of this bill is to correct imperfections in that act. Under that act each year the selection board meets, canvasses the list of officers who are eligible for promotion, and segregates them into three groups. One group is composed of those officers best fitted for promotion. A second group is composed of those who are fitted for promotion. The third group are the remaining number of officers who are not fitted for promotion and who are automatically retired.

Those who are selected as best fitted are automatically promoted to the vacancies in the higher grades that might exist. In the event that there are any further vacancies, those who are fitted are then promoted, and the remainder are let out. Under the amendment adopted by the committee, all those officers who are not selected as best fitted, who are not necessary to fill the vacancies in the higher grades, would still be kept in the service. The result of that would be to stifle and to stagnate the promotion system that we have been struggling for years to adopt, and the eventual result of it will be that we will have to have fewer candidates for admission to the Naval Academy at Annapolis. The curious part of this to me is that the Navy Department itself is strongly opposed to it, for the reason that these additional officers are not needed. The justification given by the chairman of the committee for this amendment is that with our increased naval-expansion program we are going to need more officers than we have now. Under the act as it is at present, if it is necessary to have more officers, the President has the authority to retain every single one of these officers who are not selected for promotion. I call to your attention the fact that the cost of this amendment would be $4,882,000. It can be best explained by the words of Admiral Richardson, Chief of the Bureau of Navigation, himself:

> What we need is more younger officers of lower grades. We can and will employ these officers, but they will be doing jobs not commensurate with their rank.

Let me interrupt the Admiral here to call attention to this fact. The United States Navy, grade for grade, is the oldest

navy in the world in age of the personnel, and here in this amendment we are proposing to continue in active service the older men. Admiral Richardson says:

> We will, in fact, be using high-priced men, as it were, for low-priced jobs. It is an extravagant process, but we will do it, and, of course, it will have the advantage of freeing some younger officers who otherwise would be doing those duties, for other assignments, and will thus be a net gain in total number.

I think you should know of the effect that this amendment will have; that it is not necessary; that the President right now, under existing law, has authority to keep in the service every single one of these officers if they are needed, but we have been advised by the Navy Department that they are not needed. Yet in spite of that we seem ready to spend $4,682,000 entirely unnecessarily. [Applause.]

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I cannot agree with my distinguished colleague from New York [Mr. COLE], a member of the committee, because we are facing a situation now of a shortage of officers in the Navy; in fact, every ship captain and every navy-yard commandant is crying to the Bureau of Navigation for additional officers. It is true they are asking for younger officers, but there is no reason at all why these so-called older officers cannot be given some of the assignments of those immediately junior to them all down the line, and thereby releasing junior officers for these additional duties.

We have a tremendous investment in these officers, and it seems to me utterly ridiculous for us to take any youngster and educate him at some twenty-eight or thirty thousand dollars' cost at the Naval Academy and then further spend a great deal more money on him, really making him a naval officer after graduation, and when he comes to the point of his greatest usefulness push him out into the world when he has been trained for nothing else but a naval career. These officers going out at comparatively young ages have no equipment for any other pursuit than a naval career. At a time when the Navy is expanding and we are building more ships and putting them in commission every day, I cannot see the justification for pushing these officers out on the retired list and loading up the already overburdened retired list.

There is no justification for our placing officers from 40 to 50 years old on the retired list at $2,500 or $3,000 a year, when they have many years of useful service left in them for the benefit of the Government and the Navy. Every time you place one of those officers on the retired list you replace him with a new midshipman who becomes an ensign, and you have both the cost of this officer on the retired list and the new ensign.

Mr. SIROVICH. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. SIROVICH. Does the passage of this bill remedy the evil which you are discussing?

Mr. MAAS. To a large extent, certainly until 1944, it does, because under our proposal every competent officer will be retained in the Navy until he has had 26 or 28 or 30 years of service, dependent upon his rank at that time.

Mr. SIROVICH. Does this protect the lieutenant commanders, too?

Mr. MAAS. It does. It does exactly that thing. Particularly it affects those in whom many of us are especially interested, the wartime naval aviator; the young man who came in and volunteered his services in 1917 and 1918 and dedicated his life to the service, who today is going to be pushed out into the world at a relatively young age, as far as his useful career is concerned, but yet too old to be absorbed in the commercial-aviation industry, the only field he is trained for.

Mr. DARDEN. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. DARDEN. This amendment does not contemplate keeping those officers found not fit?

Mr. MAAS. Oh, not at all. None of us can justify that. Nobody on the committee even proposed that.

Mr. DARDEN. Then I must have misunderstood the remarks of the gentleman from New York [Mr. SIROVICH], because I thought what he stated contemplated keeping all those officers.

Mr. MAAS. I assumed the gentleman from New York was querying me in regard to my statement, which was that every competent officer would be retained. The gentleman from New York asked me if that meant all of them.

Of course, I meant all competent officers. There are three classes of officers created as a result of the action of selection boards. The officer who is found best fitted is promoted to the next higher grade to fill a vacancy. Then there is the group of officers who are found fitted; then there is the group who are found neither fitted nor best fitted, and those officers are retired, as they should be. We do not desire to retain in the Navy an officer who is not competent for his duties.

Mr. DARDEN. This amendment does not affect that last class, of course?

Mr. MAAS. Of course, it does not protect the incompetent officer, but we have today in this second group of officers who have been judged fitted another narrowing down to the recommendation of a percentage of those who shall be retained on active duty. What we want to do is to retain all fitted officers.

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield myself 5 additional minutes.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. VINSON of Georgia. What this amendment accomplishes is exactly what was written by the House in the bill when it passed last year?

Mr. MAAS. Exactly.

Mr. VINSON of Georgia. That all fitted officers should be retained; and when the bill was finally enacted into law the percentage of fitted officers to be retained was put in the bill?

Mr. MAAS. That is correct.

Mr. VINSON of Georgia. And this now puts it back exactly where the committee sought to put it when it enacted the law in 1938, as it passed the House?

Mr. MAAS. As I recall, the bill last year was reported out of the Naval Affairs Committee unanimously and passed the House. That was the mandate of the House. What we are doing under the present bill is to restore the original provisions that were enacted in the bill that passed the House last year.

Mr. LORD. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. LORD. Mr. Chairman, as I understand it, we are educating at Annapolis about three times as many boys as we really should; that is, they are not finally accepted after a few years' service. Is not this the fact?

Mr. MAAS. Relatively speaking. It is not a few years but a comparatively few years. Seventy-two percent of the total commissioned strength of the Navy is in the first three lower grades. You might liken it to a great flat base and then suddenly narrowing down into a shaft. I believe we are educating too many boys at the Naval Academy.

Mr. LORD. Then the remedy would be to cut down the number sent to Annapolis, making it 200 instead of 500 a year.

Mr. MAAS. I do not know what the exact number should be, but I certainly agree with the gentleman from New York that we ought to cut down at least one appointment; and I hope that the Appropriations Committee in the next appropriation bill will reduce the number from four to three.

Mr. LORD. After the men have served a few years, then they select the favorites, maybe, and they are retained and the rest of the men are out on their ears.

Mr. MAAS. They are not favorites. They are selected on the basis of their records. The selection board is doing the most conscientious job they can. It is not any question of favoritism; it is a question of the limitation of the number of vacancies to be filled.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. ANDREWS. Is it not a fact that the Navy Department opposed the adoption of this amendment?

Mr. MAAS. I would not say they opposed it. They did not enthusiastically endorse it, but they did not oppose it; no.

Mr. ANDREWS. My understanding is that the Navy Department is opposed to the provisions of this amendment.

Mr. MAAS. They did not show any violent opposition before our committee; and there was an agreement with the Navy Department in the matter of the original bill last year to this same effect, as that bill did exactly what we are seeking to do now.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. DITTER. The gentleman made the observation that the Appropriations Committee might change the number. Would the gentleman also recommend that the Appropriations Committee should write a limitation on the pay-of-the-Navy item providing that no selection should ensue during the following year?

Mr. MAAS. No. I could not agree with the gentleman on that because it would do more harm than good.

Mr. DITTER. Could we not hold the entire matter in abeyance so that we might study the entire personnel problem?

Mr. MAAS. We have been studying it very assiduously in our committee, and we feel that this is the most workable program that can be obtained for the next 4 or 5 years.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. BATES of Massachusetts. Is it not a fact that this amendment really provides for retaining in the Navy the best fitted men that are about to go out at a crucial moment when we are rehabilitating not only our shore establishments but our entire fleet?

Mr. MAAS. The term "best fitted" is a legal term. I understand what the gentleman means, however, that they are fitted. I agree with the gentleman that we should retain them.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. VINSON of Georgia. Does not the gentleman from Minnesota believe that his language was a little strong when he expressed the hope that the Appropriations Committee, through a limitation, would reduce the number of midshipmen to be sent to the academy? As a matter of fact, it will be 1948 before we get the authorized number of officers permitted by law. I am satisfied that upon reflection the distinguished gentleman will feel that his remarks were a little strong.

Mr. MAAS. I disagree with the distinguished gentleman from Georgia. Too many of the men graduating from the Naval Academy are being shoved off into civilian life. If we had some way of retaining a greater number of them throughout their career, I would agree with the gentleman.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. COLE of New York. Is it not true that every single one of these fitted officers could be called into service under present law if they were needed?

Mr. MAAS. Oh, they could be, of course. That is a matter that is within the discretion of the President. The fact remains, however, that the Navy is not keeping them. They are competent officers. Every time we let one of them go we are put to the double expense of his retirement pay and the pay of an ensign who steps into his place. There is no justification for it, especially at a time when world conditions are so critical. We cannot justify doing this thing.

Mr. SUTPHIN. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. SUTPHIN. This would permit the retention of 300 fitted officers until 1944. Is that correct?

Mr. MAAS. Yes.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. BATES of Massachusetts. The gentleman states that these are competent officers. Is it not a fact that they are the most competent officers? Because the best fitted have already been selected, and those classed as "fitted" also have been selected. These who are left are not selected because we cannot make room for them.

Mr. MAAS. The gentleman is right; and they are competent officers. It is very difficult, as a matter of fact, to draw the line between the so-called best fitted and fitted officers. We have the two classes solely because of the lack of vacancies, not because of any great apparent differences in the officers themselves.

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Chairman, as a former enlisted man in the Navy, I grasp this opportunity to speak on behalf of the commissioned personnel by reason of the fact that we of the enlisted ranks always recognize the commissioned personnel as the leadership of the Navy. During the discussion here today much has been said about the selection of officers. My knowledge of the Navy has convinced me the officer personnel of the Navy is based on the enlisted personnel. In other words, there are so many admirals for so many captains, and so many captains for so many commanders, and on down the line.

It is true that every year the selection board meets and selects the number of captains in accordance with the number of admirals. Ofttimes there are many captains who are physically and mentally fit to be advanced in rank, but by reason of the number of captains to be selected being restricted according to the number of admirals, some annually are denied the privilege of promotion.

Under section K of the old bill—Public, No. 703—the officers concerned were required to request that they be continued on active duty for a prescribed period if they did not want to be honorably discharged earlier, as per line 5 of the section.

The new amendment, page 3, line 12, to page 4, line 1, makes such request unnecessary and continues them on active duty until the periods of time specified elsewhere in the bill have expired.

This is a very desirable change, as it protects the rights of the naval officer to continue in active service by statutory requirement rather than by administrative action on his request.

The principal point in this bill is the amendment on page 3, lines 16 to 21, inclusive. This will result in reducing very materially the retirement of officers of experience who are fitted for promotion but who would be eliminated under the law at present. Many such officers would retire each year, starting now. This amendment will prevent their retirement and will extend their periods of active duty 2 years or more.

It will result in there being more captains and commanders than are needed for sea duty, but these fitted officers could be used to fine advantage at many shore stations. This should enable the best-fitted officers to get even more sea service than at present, which should improve their training for high command. It will give the Government 1 or more years' valuable service out of these officers before they are retired. As illustration: Under the present law 23 commanders would have to retire in June 1939, whereas under the new law they would not be retired until June 1940 and 1941. Retired officers lose touch, hence usefulness, very quickly after retirement. Under existing world conditions, as well as the expansion program for national defense, these officers would be well retained on active duty for several years longer and their services used to good advantage. The purpose of the act of June 1938 was just that; in its operation the law fell short of the intent of Congress. Congress meant to keep these officers, but the law was so worded as not to give effect to that intent. This amendment makes that intent effective.

But the time will come, 2 years or more hence, when even these officers must go, hence there must be an increase in the number of new officers coming into the Navy each year to fill their places. The Navy is very short of young officers, especially lieutenants and young lieutenant commanders. This amendment cannot make good this shortage, but the

general increase in numbers asked for elsewhere—appropriation bill—does.

The numerical effect of the amendment:

Officers now scheduled for retirement in the year shown who will be kept on for one or more years under the amendment

	1939	1940	1941	1942	1943	1944
Commanders	23					
Lieutenant commanders	33	40				
Lieutenants			63	16	7	8
	56	40	63	16	7	8

Grand total, 190 officers.

In addition, it is estimated that about 160 more officers will become due for retirement under the law up to 1944. In short, the amendment will keep on active duty for additional periods of a year or more about 350 officers who would otherwise be retired prior to 1944, of whom 56 would retire in June of this year.

As the gentleman from Minnesota said, the Navy is expanding at the present time. Very often social and political activities enter into the selection of these officers; and the selection board selects a certain group of officers and tells the remainder, a group of trained men, that they have no place in the Navy. Is that just treatment to men who selected the Navy as a career?

The CHAIRMAN. If there are no further demands for time, the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the act of June 23, 1938 (52 Stat. 944), is hereby amended as follows:

Section 5, strike out subsection (a) and substitute the following:

"(a) The board for the recommendation of line officers for promotion to the grades of rear admiral and captain shall consist of nine rear admirals on the active list of the line of the Navy, not restricted by law to the performance of shore duty only. The board for the recommendation of line officers for promotion to the grade of commander shall consist of nine officers above the grade of commander on the active list of the line of the Navy, not restricted by law to the performance of shore duty only, not less than five of whom shall be rear admirals. These boards shall be appointed by the Secretary of the Navy and convened at least once each year and at such times as the Secretary of the Navy may direct."

With the following committee amendments:

Page 2, line 2, strike out "nine officers above the grade of commander" and insert "three rear admirals and six captains."

Page 2, line 5, strike out "not less than five of whom shall be rear admirals."

Page 2, after line 8, insert the following:

"Section 5, subsection (c), add the following sentence: 'The commander in chief, United States Fleet, may not serve on any such board.' "

The committee amendments were agreed to.

Mr. HOBBS. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOBBS: Page 1, section 2 of Public, No. 703, Seventy-fifth Congress, approved June 23, 1938, strike out "5½" and insert in lieu thereof "6."

Mr. HOBBS. Mr. Chairman, this amendment proposes to change the percentage of officer personnel in relation to the enlisted personnel of the Navy, putting it back where the House bill had it when we passed it in 1938. In other words, if you consider the officer personnel of the Navy as a pyramid, the remedy here applied would simply broaden the top one-half of 1 percent. This would amount to an increase in the authorized strength of 480 officers. It would save for service about 100 officers a year that are now being kicked out, not through unfitness but because there is no room in the narrowing point of the pyramid. This would broaden it to the extent that we could save from the stigma of disgrace of enforced separation about 100 officers a year. This amendment would strike out the Senate amendment which substituted 5½ for the 6 percent which the bill we passed carried.

I can see no objection, because the distribution of the officer strength is unchanged; therefore I beg the committee to stand by its bill of last year and to increase, for an expanding naval building program, the officer personnel of the Navy by this very small percentage.

Mr. IZAC. Will the gentleman yield?

Mr. HOBBS. I yield gladly to the gentleman from California.

Mr. IZAC. Is it not true, if the gentleman's amendment is adopted, we will keep off the retired list 100 officers in the prime of their lives who are of real value to the Navy today?

Mr. HOBBS. There is no question about that, and I thank the distinguished gentleman, who wears the Congressional Medal of Honor, for his suggestion.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. HOBBS. With pleasure.

Mr. VINSON of Georgia. I wish the gentleman would explain how the statement made by the gentleman from California is correct, when he says by increasing the number from 5½ to 6 percent we will keep from being retired 100 officers who are well qualified? That has no relation whatsoever to retirement, regardless of how many men you put in officer rank in the Navy.

Mr. IZAC. Is it not true that it also keeps a certain number of officers on the active list who would otherwise find no place when it comes time to select them for a vacancy that does not exist?

Mr. HOBBS. That is certainly true.

Mr. Chairman, I have the highest regard for the distinguished chairman of our Committee on Naval Affairs and for his erudition and his profound wisdom on the subject of Navy selection. I recognize the fact that what the gentleman is advancing as a derailing switch for this idea is that we have not yet reached the maximum authorized by law for the officer personnel and may not do so for several years; but I would say that the Navy hierarchy and the distinguished gentleman himself estimated it would take until 1945 for us to reach the strength authorized in the bill we passed in 1935, but we went above that strength of 6,531 last year, if we count the aviation cadets.

I believe this amendment is fundamentally sound, for the reasons I have advanced and those which our distinguished colleague from California pointed out. It will overcome the present tendency, which has nearly doubled the cost to the American taxpayers within the last 4 years of the retirement pay rolls. [Applause.]

Mr. VINSON of Georgia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I sincerely trust the Committee will reject this amendment. Under the law the officer personnel today is 5½ percent of the enlisted personnel. The officer strength of the Navy is based on the authorized enlisted strength of the Navy. The authorized enlisted strength of the Navy is 137,485.

In writing this bill last year, after long hearings by committees of both the House and the Senate, it was determined that 5½ percent was the percentage of officer personnel that was needed in the Navy, and this would provide for 7,562 officers.

Mr. HOBBS. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Alabama.

Mr. HOBBS. The gentleman did put in the bill his committee reported, however, that 6 percent was needed.

Mr. VINSON of Georgia. Yes; that is true. When the committee reported the bill to the House, the bill carried 6 percent, and the House passed the bill with the 6-percent provision in it. However, after a long hearing with the Senate conferees, after the Senate gave us the benefit of their views, and after the Navy further collaborated on the matter, the conclusion was reached that 5½ percent was all that was needed. This was worked out to a mathematical certainty—not by jumping at the conclusion that so many officers were needed—by detailing officers at various places. The adoption of this amendment merely means there will be 480 more officers, that is all; yet you cannot obtain the officers authorized under the 5½ percent until 1948. What is the use of saying you are going to have 6 percent officers when

you cannot get 5½ percent officers until 1948? If in 1948 it becomes necessary to have 6 percent officers, we will have 6 percent; but there is absolutely no justification today for fixing it at 6 percent any more than at 7 percent, or 8 percent, or 9 percent, when you know you cannot obtain them over a long period of time. Therefore, I respectfully request of the Committee, in all deference to the interest of our friend from Alabama in personnel legislation, that this amendment be rejected.

Mr. HOBBS. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Alabama.

Mr. HOBBS. Was not the situation substantially the same when the gentleman reported from his committee and urged the House to pass the bill of 1938 which the House did pass?

Mr. VINSON of Georgia. But after listening further to the argument as to why we could not use 6 percent, we were willing to compromise at 5½ percent; and I repeat, the number of officers needed has been worked out to a mathematical certainty.

Mr. HOBBS. The distribution percentages are the same, however?

Mr. VINSON of Georgia. Yes; but this does not have anything to do with the distribution. This just means more admirals and more captains and more lieutenants and more commanders all down the line.

I ask for a vote, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. HOBBS].

The question was taken; and on a division (demanded by Mr. HOBBS) there were—ayes 37, noes 41.

So the amendment was rejected.

The Clerk read as follows:

Section 7, in subsections (a) and (b), strike out "or who is not physically qualified."

Section 8, in subsection (a), strike out "other than medical."

Section 9, in subsection (a), after the word "act" in line 7, insert "exclusive of officers who are or may become on promotion additional numbers in grade."

Section 9, strike out subsection (f) and substitute the following:

"(f) All reports of recommendations of a line selection board under any provision of law shall require the concurrence of at least two-thirds of the members."

Section 11, in subsection (b), at the end of the second proviso insert "with retired pay computed as provided in section 12 (b) of this act."

Section 12, subsection (f), in line 5 change "from" to "to", and in line 6, after "promoted", insert "computed as provided in subsection (b) of this section."

Section 12, strike out subsection (k) and substitute the following:

"(k) Lieutenant commanders and lieutenants with date of rank as such prior to June 23, 1938, and lieutenants (junior grade) who on that date were carried as additional numbers in grade by reason of not having been recommended for promotion, shall, at their own request, in lieu of honorable discharge as provided in subsection (c) of this section, be retired on June 30 of the fiscal year in which they fail of selection as best fitted the second time or on June 30 of the fiscal year in which they complete the period of service designated in the act of March 3, 1931, as amended (U. S. C., title 34, Supp. III, secs. 286a and 286i), whichever date shall be later: *Provided*, That any officer retained on the active list pursuant to this subsection shall be ineligible for consideration for promotion by subsequent selection boards: *Provided further* That lieutenants who served in the Navy or Naval Reserve Force prior to November 12, 1918, and who shall have completed not less than 21 years of service shall, if retired under any provision of law, be advanced to the grade of lieutenant commander on the retired list: *And provided further*, That the retired pay of officers retired pursuant to this subsection shall be computed as provided in subsection (b) of this section on the basis of the active duty pay of their rank on the retired list."

Section 14, in line 9 of subsection (a), after "grade" insert "with probationary appointments."

With the following committee amendment:

On page 2, after line 18, insert the following:

"Section 9, strike out subsection (d) and amend subsection (e) to read as follows:

"'(d) The recommendations of selection boards in the case of officers who are now or may hereafter be assigned to engineering duty only or to aeronautical engineering duty only shall be based upon their comparative fitness for the duties prescribed for them by law. Upon promotion they shall be carried as additional numbers in grade. Officers assigned to aeronautical engineering duty only shall succeed to command on shore only when designated to do so by the Secretary of the Navy.'"

Mr. HOBBS. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. HOBBS to the committee amendment: On page 2, in line 24, strike out the word "comparative," and on page 2, line 25, after the word "law" change the period to a comma and insert "in comparison with other officers in the same kind of service, but not by comparison with officers of the line of the Navy proper; and each such officer who is fitted for the performance of his duties shall be selected for promotion."

Mr. HOBBS. I would like to ask the distinguished chairman of the Committee on Naval Affairs if he will not agree to this amendment?

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. Certainly.

Mr. VINSON of Georgia. I would like for the gentleman to inform the committee the justification that exists for his amendment. What is the necessity for changing the law from what it is today with reference to the "engineering duty only officers"? Under the law today the engineering-duty officers are not in competition among themselves; they are in competition with the line of the Navy.

Mr. HOBBS. That is right.

Mr. VINSON of Georgia. The aeronautical engineers are in competition with themselves only.

Mr. HOBBS. That is right.

Mr. VINSON of Georgia. Now we take away that and put both of them together under the amendment. The gentleman proposes to amend that by making the competition in both of these engineering ranks among themselves.

Mr. HOBBS. That is right, sir.

Mr. VINSON of Georgia. I would like for the gentleman to explain his reason for it and his justification for it.

Mr. HOBBS. I am greatly surprised at the inquiry of the distinguished chairman of our committee. He knows just as well as I do what is back of this amendment. Not only that, but I have gone over this amendment with him repeatedly, urging its plain and cogent justification. You might just as well compare a Coca-Cola peddler in the grandstand with the first baseman on the Washington Senators as to compare a man who inspects armor plate and tests it in his laboratory in the Philadelphia Navy Yard with an admiral of the fleet. There is no possible way to compare a specialist doing specialist's duties, because of peculiar fitness, with a man on the high seas running a battleship. That is one of the reasons, and the gentleman knows it. The present method of selection is cruelly unfair because the hierarchy in the Navy have a small club on their Mount Olympus which they want to keep exclusive, so they contend that no specialist should ever become an admiral. The Olympians do not want a specialist to advance because of efficiency in his specialty. They want him to be compared with them on their ability to run the fleet. That is the way the law is now and that is why so few specialists get promoted to the rank of admiral. This amendment would make specialists comparable only with officers engaged in the performance of similar duties.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am happy to yield to my learned colleague of the Committee on the Judiciary.

Mr. WALTER. Do I understand the gentleman to mean that unless his amendment is adopted, the very capable, highly specialized head of the aircraft factory at Philadelphia Navy Yard could be relieved of his duty and be succeeded by a man who knew nothing at all about aviation?

Mr. HOBBS. Of course, that is true.

Mr. VINSON of Georgia. Oh, no.

Mr. HOBBS. Of course, that is true. His promotion, his retention in that specialized duty, is dependent upon his selection by a selection board that is charged by law to compare his fitness for promotion with those who run a fleet, an examination that may be upon gunnery on the high seas or it may be upon any one of a dozen things that are routine on the high seas, but that he has not had anything to do with in 20 years.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am delighted to yield to the distinguished gentleman from Massachusetts.

Mr. McCORMACK. Will the gentleman state what will be the effect of his amendment, if adopted?

Mr. HOBBS. It would be simply to require the selection boards to compare specialists with men engaged in similar service in the Navy. The comparison would be between men who are performing similar service for Uncle Sam and not between a scientist testing armor plate, and a navigator.

I submit to the sanity of this House that this amendment is of vital importance to those men who desire to make a career for themselves based on their specialized fitness for the best service to Uncle Sam, and that each of us has a stake in this issue, because unless we adopt this amendment you will have continued the mad scramble of scientists and specialists to get enough sea duty so that they may be promoted.

This is the only way you can give us career men in the American Navy, and I submit this vital amendment should be adopted. [Applause.]

Mr. VINSON of Georgia. Mr. Chairman, let me call the Committee's attention to the law as it exists today, so that you can get briefly a picture of what is involved here.

This relates to two technical groups of officers in the Navy—aeronautical engineers and engineers assigned to that duty only.

Under the law today we fixed it to give these aeronautical engineers exactly what they wanted the last time the committee had this bill under consideration, which was during the last session of the Congress. We provided that the recommendation of the board in case of officers who are now or may hereafter be assigned to aeronautical engineering duty only shall be based upon their comparative fitness among themselves for the technical duties prescribed for them by law.

Now, what does that mean? It means that this little group of some 54 aeronautical engineers, when it comes up for selection, is not in competition with the line officer, but is in competition with the other men assigned to that technical duty.

Mr. WALTER. Mr. Chairman, will the gentleman yield for a correction?

Mr. VINSON of Georgia. Yes.

Mr. WALTER. There are 49 such officers.

Mr. VINSON of Georgia. All right, 49; and there are 64 engineer officers.

Then there is another technical group known as EDO's—engineering duty only.

Bear in mind we had these officers come here from Philadelphia and other places in the country who are technical officers and they said that was exactly what they wanted. They did not want to be drawn into competition with other officers of the Navy. That was last year.

The engineering duty officers did not want that. They wanted a separate provision, and, therefore, we gave them this one:

> The recommendation of the board in case of officers who are now or may hereafter be assigned to engineering duty only shall be based upon their comparative fitness for the duty prescribed for them by law.

They did not want competition just among themselves. They wanted competition among the line officers, due to what reason? Due to the reason that they command on shore, and they could not command a navy yard unless taken in competition with Navy officers who command at sea. Another reason: These officers go to sea because they are the officers who make report upon the operation of all of the boilers and machinery in the ships, and how could they do that unless they went to sea; and would it not be right and fair and proper that they be in competition with all line officers, and that is exactly what they want. No longer than 3 hours ago the admiral appeared before Mr. Hulls and came to my office and said they wanted this law with reference to the EDO exactly as we put it in the bill.

In reference to the aeronautical engineers, last year we gave them exactly what they wanted. They said they wanted competition among themselves, and now this year they come in before the committee and they say they do not want competition among themselves, but they want competition all down the line. So I say to you gentlemen that we are trying to do exactly what these specialists want done, and it is most difficult for us to find out what they want, because when the shoe pinches one year they want it changed the next year so as to suit their ideas then.

I submit to the Committee that the judgment of the Committee on Naval Affairs, after weeks of investigation of this matter, should be given preference in this respect, at least when we are following the viewpoint of these technical officers who are involved, and I earnestly hope that this amendment will be rejected; and if it so develops that any injustice is being done to them and they are not satisfied, we shall have other days here, and we will come back again and try to correct these things.

Mr. MAAS. This is exactly what the aeronautical-duty officers want and the Bureau itself wants.

Mr. VINSON of Georgia. That is right. We are trying to do what they want done. If we make a mistake, it is their fault and not ours.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word. I was rather interested in listening to the last remarks of my distinguished friend from Georgia [Mr. VINSON] that if this does not work out in an equitable way we can come back later and take care of it. That is what we have been hearing for a long while. Ever since I have been a Member of the House, that is what I have been hearing with reference to Navy matters. All I know about the Navy, so far as personnel is concerned, is that there is a lot of naval politics played down there. Politics is played, not only in this Chamber and in the Senate Chamber, but apparently there is quite a political machine down in the Navy Department. Of course, the officers cannot talk out openly. They are not going to take any chance of injuring themselves, but they talk to you and to me privately, and they tell us in confidence what confronts them. I introduced a bill—H. R. 4677—and promises were made last year that the matter involved would be taken care of this year. We have civil engineers and instructors, officers in the Navy, who are discriminated against. A promise was made last year that they would be taken care of this year. This year I introduced a bill and I was given assurance that I would be given a hearing next Monday. On the other hand, I understood, there was going to be an amendment offered to the pending bill calling for a survey of staff officers to be made, and that is why I asked my friend from Georgia [Mr. VINSON] if he was going to offer such an amendment. I could not get a direct answer out of him, but afterward, privately, he told me he would not, but if the amendment was offered, and assuming my point of order was overruled and the amendment was adopted, then I would have a hearing before his committee next Monday, which would be just a joke. A survey is a polite way of sidetracking my bill for this session.

Mr. MAAS. Oh, the committee is intending to have a hearing next Monday.

Mr. McCORMACK. I know the gentleman from Minnesota, and I will back him any time. I know of no one for whom I have a greater feeling of admiration and respect than I have for the gentleman from Minnesota. I remember a case I had before the Naval Affairs Committee of an individual who was trying to correct a record of injustice, unconsciously done, and for 3 years the gentleman from Minnesota and I fought to correct it, and we did finally succeed in correcting it, but I would never have done it if it had not been for the gentleman from Minnesota; so that any time the gentleman says anything to me, his word is as good as his bond, the same as with any other Member, but I say that of the gentleman from Minnesota in particular. I wonder if the gentleman knew an amendment was proposed to be offered to the bill calling for a survey of staff officers, and, of course, the gentleman knows that if that happens it would be useless to have hearings on my bill next Monday.

Mr. MAAS. The chairman discussed that with me, and I asked him not to offer such an amendment at this time.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. VINSON of Georgia. I will say to the gentleman from Massachusetts if a survey were made it would give the gentleman a great deal of beneficial light on the subject.

Mr. McCORMACK. Well, now, that is a question of fact. I have a right to differ. I sometimes wonder how much these who are obsessed with an idea really know about it. Sometimes when we become obsessed with an idea we become one-track-minded. I sometimes feel if we would establish a special committee from this House who had never had any associations with the Navy Department in the past to look into the selection of personnel for promotion we would get a better idea and we would have a more impartial and disinterested approach. You and I know as practical men, as members of different committees, that we sort of approach legislation from the angle of friendships and attachments that we make. Those friendships and attachments are bound to have an influence upon our judgment.

When this bill comes up next Monday, I hope I will get the proper consideration.

I think the amendment offered by the gentleman from Alabama [Mr. HOBBS] is a good one. Personally I think it is a sound one. Apparently the chairman says that under the present law the same results can be obtained. If so, what is the objection to accepting the amendment? Then there will be no question about the meaning of the existing law. The chairman of the committee says that under the present law it can be done. The gentleman from Alabama [Mr. HOBBS] says it cannot be done. The gentleman from Georgia [Mr. VINSON] then concedes it could be done. If that is so, why not adopt the amendment and remove any difficulties? It will clarify it. Then, next Monday I hope that when I come before the Naval Affairs Committee—and I am looking to my friend from Minnesota [Mr. MAAS] for great assistance, and my other friends on the committee—that I will not go up against stacked cards, where the committee is going to report out a survey instead of a bill that should be reported out to meet the existing trying situation which H. R. 4677 tends to solve. [Applause.]

[Here the gavel fell.]

Mr. WALTER. Mr. Chairman, I move to strike out the last two words.

As some evidence, or should I say proof conclusive, that there is a distinction that should be recognized, and will be recognized if the amendment offered by the gentleman from Alabama [Mr. HOBBS] is adopted, may I read something that Admiral Cook wrote last November concerning this class of officers:

> As Chief of the Bureau of Aeronautics, I am greatly concerned over the need for A. E. D. O.'s particularly in view of the pending expansion of the aeronautical organization and the greatly accelerated rate of progress abroad. The Bureau is largely dependent upon the strength and effectiveness of this group for its material and progress in aeronautical matters. They are responsible for the high state of technical development existing in naval aviation today, and are in direct charge of the design, construction, integrity, and readiness of the aeronautical material under the cognizance of this Bureau. Their responsibilities and importance to the efficiency of our aviation material have increased greatly and will continue to increase far out of proportion to the number of officers in the group or who have the technical qualifications to perform their duties.

I submit respectfully that in face of the very flat statement made by the admiral this amendment offered by the gentleman from Alabama [Mr. HOBBS] should be adopted.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. HOBBS] to the pending committee amendment.

The question was taken; and on a division (demanded by Mr. VINSON of Georgia) there were ayes 61 and noes 50.

So the amendment to the committee amendment was agreed to.

The CHAIRMAN. The question now recurs on the committee amendment as amended.

The committee amendment as amended was agreed to.

The CHAIRMAN. The Clerk will read the next committee amendment.

The Clerk read as follows:

> Committee amendment: On page 3, in line 7, strike out "(f)" and insert "(e)", and in the same line strike out the word "of" where it occurs the first time and insert the word "or."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Committee amendment: On page —, beginning after line 15, insert the following:
>
> "Section 12, subsection (f), add the following proviso: *'Provided further*, That until June 30, 1944, such officers shall not be retired until they shall have completed the periods of commissioned service prescribed for their respective grades in subsection (d) of this section for fitted officers recommended for retention on the active list.'"

Mr. COLE of New York. Mr. Chairman, I rise in opposition to the committee amendment.

Mr. Chairman, I rise simply to call the attention of the Committee to the fact that this is the amendment which I discussed a short time ago. The effect of this amendment, briefly, will be to freeze into the service some 300 officers who otherwise would go out and who are not needed. It would stagnate the present scheme of promotion, a problem that we have worked on for years. It would cost, unnecessarily, $4,682,000. If it ever happens that these men are needed in case of an emergency, they are always subject to call. If those men are now needed on the active list, because of our naval expansion program, under existing law the President has the authority to keep them in the service.

I feel that if it is the wish of this Committee to keep those officers on the active list simply for the purpose of giving them a job, the Committee should definitely say so with its eyes open.

Mr. VINSON of Georgia. Mr. Chairman, I rise in support of the amendment. As I stated when I explained the various provisions of this bill, the object and purpose of this committee amendment is to retain in service all officers found by the selection board as being fitted officers until 1944, or until they have served their time in their group, which is 30 years for captains, 28 years for commanders, and 26 years for lieutenant commanders.

If this amendment is not adopted some 50 officers will go out on June 1. I earnestly hope the Committee will adopt this committee amendment.

Mr. HOBBS. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. HOBBS. Has the distinguished chairman of the committee an amendment to add to the committee amendment?

Mr. VINSON of Georgia. Yes; I am about to offer it.

Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

> Amendment offered by Mr. VINSON of Georgia to the committee amendment: Page 3, line 21, change the period to a comma and add the following: "and they may become eligible for selection as provided and as limited in said section (d) of this section."

Mr. VINSON of Georgia. Mr. Chairman, the object and purpose of this amendment is to provide that these officers retained as fitted officers will still be eligible for consideration by the selection board. Their retention as best-fitted officers, in other words, under this amendment, does not close the door of hope in their hearts, but opens the door of opportunity to them.

I ask that the amendment be agreed to, Mr. Chairman.

The CHAIRMAN. The question is on the amendment to the committee amendment.

The amendment to the committee amendment was agreed to.

The CHAIRMAN. The question recurs on the committee amendment as amended.

The question was taken; and on a division (demanded by Mr. COLE of New York) there were—ayes 81, noes 9.

So the committee amendment was agreed to.

Mr. MAAS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MAAS: On page 4, after line 23, add a new paragraph as follows:

"Section 12, subsection (d), strike out all the language in parentheses in lines 7 to 11."

Mr. MAAS. Mr. Chairman, the purpose of this amendment is to correct a situation which has arisen under the 1938 act. I think, without a realization of its effect, we accepted a recommendation from the Navy Department in the drafting of the language of the bill which for the first time includes the principle that the time spent by Reserve officers during the World War on active duty, or those on temporary commissions in 1917 and 1918, or during their time as chief warrant officer is to be charged up against them for the purpose of determining the 26, 28, and 30 years' time allowed for service in the Navy. The effect of striking out the language as provided in my amendment will be to give these officers, a small group of non-Naval Academy graduates, mostly pilots, the intended 26 years in the Navy as lieutenant commanders, or 28 years as commanders. None of them will be captains.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. VINSON of Georgia. What section is the gentleman seeking to amend?

Mr. MAAS. Section 12.

Mr. VINSON of Georgia. The effect of the gentleman's amendment is to give these officers so many years of commissioned service.

Mr. MAAS. Exactly.

Mr. VINSON of Georgia. And not to charge against them the years they served as warrant officers and noncommissioned officers.

Mr. MAAS. It also included temporary commissions and Reserve commissions. There was never anything like it in the law before last year, and the whole purpose of it is to throw out a group of non-Naval Academy graduates for the benefit of some Naval Academy graduates who followed them. These men already were put back behind the class of 1919, but on top of that they want to throw them out 4 years sooner. It is simply a method of penalizing the World War officers who were not graduates of the Naval Academy.

They want to throw them out sooner to make more vacancies for that group of Naval Academy graduates. It is an unfair thing. These officers, particularly those who were in aviation, made naval-aviation history. They are the men who went out and pioneered; they created it, they taught the Naval Academy graduates how to fly. Now they are trying to penalize these World War veterans and throw them out 4 years sooner, at a time when we need them so badly as we do at the present.

I hope my amendment will be adopted and that we will permit these officers to serve the same length of time as graduates of the Naval Academy will be allowed to under this bill.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. VAN ZANDT. Unless the gentleman's amendment is adopted some of the aces and crack pilots of the Navy will be penalized because they were not graduates of the academy.

Mr. MAAS. Yes; they will be cut off from 4 years' additional service notwithstanding the fact that they are among the outstanding leaders in aviation. I want to give them the same treatment we give Naval Academy graduates. [Applause.]

Mr. VINSON of Georgia. Mr. Chairman, with all deference to my distinguished colleague on the committee, I cannot agree with him because I believe he is absolutely wrong in what he is seeking to accomplish.

He is doing an injustice to other officers while at the same time trying to help a group which he stated were non-Naval Academy graduates. He was rather adroit in his argument that we are throwing out enlisted pilots and putting in their places Naval Academy graduates. That is always the kind of argument that is made to get up sympathy for a certain proposition.

Mr. MAAS. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Minnesota.

Mr. MAAS. I would like to know what the gentleman means by the statement this will hurt any other officers. All officers will be retained.

Mr. VINSON of Georgia. Every officer and every naval enlisted man is entitled to be tried by the same yardstick. It gives these officers 4 years, 6 years, or 2 years longer in the service in their respective grade than the other officer.

Mr. MAAS. If the gentleman will yield further, if that is fair we ought to charge the 4 years that a Naval Academy graduate spends at the Naval Academy. That should be charged up to his 26 years.

Mr. VINSON of Georgia. By the amendment we have just adopted, officers who are fitted may stay in who have had 30 years' commissioned service or 26 years' commissioned service, or 28 years' commissioned service. Under the gentleman's amendment if a warrant officer were promoted to a commissioned officer, then he could count in length of service the time he served as a warrant officer.

We had hoped to make them all equal by counting his total service in the Navy and giving them all the same length of service. If you want to give these officers who have heretofore never had that privilege this additional time, if you do not want to count the time that they served, agree to his amendment and you will accomplish just that. Then you will have an officer serving 36 years or 34 years as against an officer who serves 30 years or 28 years.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. Suppose an enlisted man went to the Naval Academy, would his time as an enlisted man be counted against his service as an officer later on?

Mr. VINSON of Georgia. Not at all. May I read the law to you? Here is the section which the gentleman seeks to amend:

(d) Captains, commanders, and lieutenant commanders promoted to those grades by reason of adjudgment as fitted for promotion, and recommended by the report of a selection board, as approved by the President, for retention on the active list, may be continued on the active list of the line of the Navy until they shall have completed 30, 28, and 26 years, respectively, of commissioned service (with which commissioned service shall be included service as commissioned warrant officer, active commissioned service in the Naval Reserve Force, service as a midshipman after graduation from the Naval Academy, and service under a temporary commission in the Navy).

The gentleman proposes to exclude all of that service.

Mr. MAAS. If the whole purpose is to hold these people in, why throw them out?

Mr. VINSON of Georgia. We are not throwing them out.

Mr. MAAS. We are throwing them out 4 years sooner than we should.

Mr. VINSON of Georgia. He is kept in the same length of time—30, 28, or 26 years.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. MAAS].

The question was taken; and on a division (demanded by Mr. MAAS) there were—ayes 66, noes 44.

So the amendment was agreed to.

Mr. VINSON of Georgia. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. VINSON of Georgia: On page 4, between lines 4 and 5, insert the following: "Section 12, add subsection (m), as follows:

"(m) Officers now serving or who shall hereafter serve as Chief of Naval Operations or as Commander in Chief, United States Fleet,

shall upon detachment from duty as Chief of Naval Operations or as commander in chief, United States Fleet, retain the rank of admiral and shall continue to receive the pay and allowances of a rear admiral of the upper half and the personal money allowance of an admiral. When such officers are 66 years old, they shall be retired by the President from active service."

Mr. VINSON of Georgia. Mr. Chairman, this amendment simply retains in service the officer who holds the position of commander in chief of the fleet until he is 66 years old. Under the law as it exists today, when a flag officer reaches the age of 64 he goes out. This retains in service also an officer of the rank or assignment of Chief of Naval Operations. In other words, as far as these two important positions in the Navy are concerned, when an officer reaches the age of 64 he goes out. Under my amendment, he will stay in until he is 66 years of age. This would mean the retention for at least 2 years longer of Admiral Leahy, as he happens to be Chief of Operations at the present time. It would apply to whoever succeeds him after he has served until he is 66 years of age. I submit a man who has physical fitness has not lost his usefulness to the Government when he reaches the age of 64 years. I am trying to keep these officers in these important positions until they are 66 years of age.

Mr. HOBBS. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Alabama.

Mr. HOBBS. I agree with the gentleman, and I am for his amendment. I simply wished to have him yield in order that I may ask him if he will not extend this same treatment to the captains, who now have no provision made for them?

Mr. VINSON of Georgia. I cannot agree to that, because it is a very different proposition.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia.

The amendment was agreed to.

Mr. HOBBS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Page 7, line 10, of Public, No. 703, approved June 23, 1938, change the period to a colon and add: "*Provided further,* That captains who are not selected for promotion to the grade of rear admirals shall be, by the same board, adjudged either 'fitted' or 'not fitted' for promotion, and if adjudged 'fitted' for promotion shall be retired with the rank of rear admiral with retired pay computed as provided in subsection (b) of this section."

Mr. HOBBS. Mr. Chairman, this amendment, as I understand, will not cost the Government one dime. The pay of these officers will be the same whether they are called captains or admirals. This amendment simply means that a captain who under the present legislation is denied the privilege of having the stamp of approval of his fellow officers put upon his work of 30 years, who has gone up to the rank of captain, and who may not now be adjudged fitted for promotion, can have his qualifications determined and, if the stamp of approval of the selection board is put upon him and his work of 30 years in the Navy, he is retired without additional cost to the Government and with the rank of rear admiral. This is fair and it is reasonable.

I am in accord with the position taken by the distinguished chairman of the Committee on Naval Affairs with regard to this honor which we have just done these ranking admirals, and I submit the door of opportunity ought to be at least cracked for the benefit of captains in the Navy.

Mr. MAAS. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am glad to yield to the gentleman from Minnesota.

Mr. MAAS. I have a great deal of sympathy with what the gentleman is proposing; but does the gentleman realize that in the event of war all these captains who had failed to be selected as admirals would come back on the active list as admirals and have high fleet command?

Mr. HOBBS. I think I have taken everything into account. The adoption of this amendment will tend to do away with the injustice which is now applying to only two of the six or eight categories of officers in the Navy.

Mr. SUTPHIN. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. With pleasure I yield to the gentleman from New Jersey.

Mr. SUTPHIN. The gentleman is desirous of promoting captains to admirals. Why does he not go right down the line to ensigns and promote them all?

Mr. HOBBS. What is here proposed for captains is now done for most of them. The provision of the law now is that several grades shall be retired in the next higher grade.

Mr. SUTPHIN. With pay and allowances?

Mr. HOBBS. Yes.

Mr. VINSON of Georgia. Mr. Chairman, I rise in opposition to the amendment.

I sincerely trust, Mr. Chairman, the Committee will reject this amendment. The Committee on Naval Affairs made an investigation along the lines suggested by the gentleman from Alabama for a long time. What does this amendment do? It simply creates a special class of captains, and when they go out they are given the rank of rear admirals. After awhile you would have more admirals in the Navy than officers of any other rank. As was stated by the gentleman from Minnesota [Mr. MAAS], when these men were called back to active duty they would be called back with the rank of admiral, and you would have admirals in charge of admirals.

I certainly hope the Committee rejects this amendment.

Mr. MAGNUSON. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Washington.

Mr. MAGNUSON. Is it not true that only last week certain admirals of the Navy testified we have too many admirals in the Navy today?

Mr. VINSON of Georgia. Something along that line was said.

I hope in deference to our colleague from Alabama that we will reject this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. HOBBS].

The amendment was rejected.

Mr. MAAS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MAAS: On page 4, after line 23, add a new paragraph, as follows:

"Section 13 of Public, No. 703, Seventy-fifth Congress, subsection (a), line 4, change the word 'eight' to 'nine.'"

Mr. MAAS. Mr. Chairman, the purpose of this amendment is simply to carry out the intention of the Congress in the bill passed last year which we found was never operative because of a decision of the Judge Advocate General which none of us had anticipated. The purpose is to apply the same test of selection to the flag rank as to all other ranks in the Navy.

Mr. VINSON of Georgia. Mr. Chairman, may the amendment be again reported?

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection.

The Clerk again reported the Maas amendment.

Mr. VINSON of Georgia. Will the gentleman from Minnesota read the part of the law he is seeking to amend?

Mr. MAAS. I may tell the gentleman that it provides that in any one year, if the Secretary of the Navy finds there are to be less than eight vacancies among the rear admirals, he shall convene a board to select enough admirals to be retired to make the average of eight. I am proposing to make this figure nine because we discovered that with the figure set at eight there will probably never be any retirements of rear admirals, because the Judge Advocate General ruled—and I am not questioning his ruling—that the 8 or 9 days this bill was in effect last year included all the vacancies last year for the purpose of averaging with succeeding years, and there happened to be a great many vacancies last year. The result is that you always have the eight vacancies, and no admiral will ever be forced to retire, or probably not at least, under the provisions of this act.

Mr. VINSON of Georgia. Then the object and purpose of the gentleman's amendment is to force retirement in the rank of admirals?

Mr. MAAS. A very mild retirement provision, so as to subject admirals to the same conditions to which every other officer is subjected.

Mr. VINSON of Georgia. How many is it proposed to retire annually?

Mr. MAAS. Under my proposal they would have to maintain an average number of vacancies of nine a year. The principle is the same as we approved last year, except that the figure then was made eight, which simply is below the number that ever will force any retirements among admirals. I believe it is a good thing to have a little goad on the admirals so that when they get the two stars they cannot just sit back and feel that they are set for life.

Mr. VINSON of Georgia. As far as I am concerned, it is all right to have a selection in the rank of admiral, but I do not think it should be mandatory that a certain number go out each year.

Mr. MAAS. That is in the law now, except that the law states "eight," but the figure eight does not work. The Congress has adopted the principle involved in this amendment except that the figure we arrived at did not accomplish the intent of Congress. My amendment will accomplish it.

Mr. VINSON of Georgia. How many, under this amendment, will be forced out?

Mr. MAAS. It varies from year to year. Next year two will be forced out.

Mr. VINSON of Georgia. And the following year?

Mr. MAAS. The following year there will be a total of six, and then it drops down to one or two again.

Mr. VINSON of Georgia. Then, do I understand that by this amendment there will be a selection board of admirals to pass on admirals for retention and admirals that go out?

Mr. MAAS. The next amendment I have to offer will accomplish that. That amendment will provide for a board to retain admirals, while this provides that when there are not enough vacancies somebody moves out of the way.

Mr. VINSON of Georgia. Of course, the gentleman realizes that what he is doing is this: There is by law permitted to be 65 admirals, and he proposes by his amendment to have a group of admirals appointed by the Secretary to say how many of those 65 admirals shall stay in and which ones shall stay in and which ones shall go out.

Mr. MAAS. We are doing that now, Mr. Chairman.

Mr. VINSON of Georgia. And by that amendment he will cause more confusion and strife in the rank of admiral than ever occurred in any group before.

Mr. MAAS. No; this is just carrying into effect the law we have now. Why should there be one sacred rank in the Navy? I am not opposed to the admirals. I think we have the finest group of admirals in the world, and I want to keep them the finest group of admirals in the world, and that is why I want to have the same weeding-out process for admirals that we have for lieutenants, lieutenant commanders, and commanders and captains.

This does not involve any new principle of legislation at all. It simply provides that what the Congress intended last year shall be carried out, and I hope the amendment will be agreed to.

Mr. MAGNUSON. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. MAGNUSON. Is this the same amendment the gentleman proposed in committee the other day?

Mr. MAAS. No; this is a different amendment.

Mr. MAGNUSON. That had relation to the retirement?

Mr. MASS. I intend to offer that following the disposition of this amendment.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The amendment was agreed to.

Mr. MAAS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MAAS: Page 4, after line 23, insert a new paragraph, as follows:

"SEC. 15. The Secretary of the Navy each fiscal year shall appoint a board of five rear admirals of the upper half whose duty it shall be to report the names of all officers eligible for its consideration who, in its judgment, shall be retained on active duty. Any officer so considered and not recommended for retention by the report of such board, as approved by the President, shall be retired on June 30 of the fiscal year in which he completes 38 years of service, computed as hereafter provided, and shall thereafter receive 75 percent of the active-duty pay of a rear admiral of the upper half. The Secretary of the Navy shall furnish the board with the names of all rear admirals on the active list who have completed over 36 years and less than 38 years of service, counting commissioned service and service as a midshipman after graduation from the Naval Academy, but shall not furnish the name of any rear admiral who has previously been recommended for retention in accordance with this act. All officers whose names are furnished the board as herein provided shall be eligible for its consideration. The board shall conduct its proceedings and make its report in such form as may be prescribed by the Secretary of the Navy, with the approval of the President: *Provided*, That the provisions of this section shall not apply to the Marine Corps."

Mr. MAAS. The purpose of this amendment is to carry out the same principle. We have selection in every grade now from junior lieutenant on through to flag rank, where it stops. This amendment does not in itself force out any admiral, but it says that they shall be subject at a period during their career as an admiral to selection for retention.

If the board fails to recommend an officer for retention, he shall be retired. Every rear admiral may be recommended for retention, but today you have a situation where a captain once becoming an admiral cannot be touched. He stays on and on, regardless of fitness, until he is 64 years of age.

Sometimes selection boards make mistakes, and when they make a mistake in selecting a flag officer they are stuck with that mistake until that officer is 64 years of age under the present law. Under this proposed amendment all good admirals will be retained, but now and then an officer begins to slow up a little, when he gets to be around 60 or 62 years of age, and this will permit them not to recommend his retention. An officer may show himself to be undesirable, and this permits the Navy to have a method of taking him out of the active service when that situation does arise; also, it has the effect of being a stimulus to every admiral. It puts him under the same hazard and mental stimulus that every other officer is under.

Once a captain is selected to be an admiral, if he knows that nobody can touch him from then on, you know how it may affect him, and what he may do; but if he knows that he has to continue to be on his toes and continue to be human, because he is going to be subject to selection again, it will have the finest effect in the world upon our flag officers; and not only upon them but on every other grade, because then they all know they are going to be subject to the same test from the bottom to the top of the Navy and they know there will be no discrimination. If you want a flow of promotion, you must have it all the way from the bottom to the top.

Mr. VINSON of Georgia. Mr. Chairman, this amendment merely carries out the amendment already agreed to?

Mr. MAAS. Yes. To a large extent it has that purpose.

Mr. VINSON of Georgia. I have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The amendment was agreed to.

Mr. HOBBS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. HOBBS: On page 3, after line 9, section 10, of the act approved June 23, 1938, Public, No. 703, Seventy-fifth Congress. Change subsection (b) to subsection (c) and insert a new subsection (b), as follows:

"(b) The report of the board shall include a statement of the reasons actuating the selection or promotion of every officer so selected, and also a statement of the reasons actuating the passing over of every officer not selected for promotion."

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. HOBBS].

Mr. HOBBS rose.

Mr. VINSON of Georgia. Mr. Chairman, does not the gentleman think his amendment should go one step further and make that confidential, except between the officers involved?

Mr. HOBBS. I considered that after the gentleman mentioned it to me, and I believe it is perfectly clear that it is

confidential in the same sense as is the report itself. In other words, it comes between the present subsections (a) and (b), both of which indicate the matter is to be treated somewhat confidentially. I hope the gentleman will not oppose this important and meritorious amendment.

Mr. VINSON of Georgia. Personally I have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama.

The amendment was agreed to.

Mr. DITTER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DITTER: Page 3, after line 9, insert:
"Strike out section 11 (a) of the act of June 23, 1938 (52 Stat. 944), and insert the following as section 11 (a):
"'The names of officers designated by a board as best fitted for promotion and the names of officers adjudged by a board as fitted for promotion and approved by the President shall be placed upon the promotion list, and promotion to fill vacancies shall be made from officers of the next lower grade whose names appear as having been designated as best fitted for promotion on such promotion list in accordance with the date of their original commission in the Regular Navy.'"

Mr. DITTER. Mr. Chairman, the bill now before the House is of vital importance to the national-defense program. Plans have been projected and legislation enacted looking toward the increase of the Naval Establishment. Much has been said about the purchase of munitions and the machines of war. Little, if anything, has been said about the most important factor—men. This bill deals with men, with their fitness and with the recognition which should be accorded to the men of the Navy for the service which they render.

The selection system is not a new subject to many of us. We have contended for a long time that injustices and inequities which have prevailed should be corrected. Our efforts have been stubbornly resisted. In spite of widespread complaint, and even in spite of acknowledged abuses, there were those who attempted to defend the system and who opposed every move to correct the conditions which threatened the morale of the Navy.

An intelligent consideration of the proposals now before us require a reference to the conditions that have prevailed since the World War days. Prior to 1917 each class that graduated from the Naval Academy took its place in back of the class that had graduated immediately preceding it. For example, the class of 1915 followed the class of 1914, the class that graduated in 1916 followed the class that graduated in 1915. This was the regular way of inducting officers into the naval service. Congressional appointments to the Naval Academy were based upon the needs for officers in the Navy, and upon graduation from the Naval Academy, the graduates would fill the billets that were necessary in accordance with the naval program.

In 1916 under President Wilson the 1916 building program was launched. It is probable that the imminence of war prompted the launching of this program. At the same time that the building program was undertaken a larger class was entered in the Naval Academy in 1916 than any that had previously been enrolled. This class was destined to graduate as the largest class up to that time that had ever completed the course at the academy.

In 1917 war was declared. In that year and in the years 1918 and 1919 a large number of men from civil life found their way into the naval service and became officers during the emergency. They were not Naval Academy graduates. While the exact figures are not available, it is reasonably safe to say that more than 20,000 officers of this type were in the service at the close of the World War in 1918. The induction of this large group had its effect. It boosted in rank the officers then on the active list of the Regular Navy. For example, members of the class that graduated from the Naval Academy in 1914 became lieutenant commanders in 1918. Officers who graduated from the Naval Academy in 1917 became lieutenants in 1918. Officers were graduated from the Naval Academy in 1917 who were not normally due for graduation until 1918, with the result that in 1918 we find a group of officers labeled as lieutenants when, under ordinary circumstances, they would still have been midshipmen.

In 1920 it was decided that the opportunity should be afforded to a small percentage of the officers who had entered the Navy from civil life during the war period to continue in the service. Competitive examinations were held for those officers who were not graduates of the Naval Academy in order to ascertain those to whom the privilege should be given. This group of World War officers were assured that those who were successful and who were selected for permanent commissions would be certain of a career in the Navy.

It is interesting to note that a law at that time specifically stated that none of these officers should be retired involuntarily until they had served for a minimum of 10 years in the grade of lieutenant commander. A large number of World War officers competed in the examinations. When the results were finally announced there were approximately 800 officers passed upon as fitted in all respects and entitled to permanent commissions in the Regular Navy. Some of these men have continued in the service from that day on. They were men who responded when the need was the greatest. They were men who were prompted to offer their service solely because of an urgent call of duty. They were men in most instances whose induction into the service had little of the glamour attending a graduation exercise in the Naval Academy. Their induction was not a holiday occasion.

The first selection law for naval officers was enacted in 1916. Because of our entry into the World War the following year, the 1916 act was practically held in abeyance. An examination of the Navy list in 1920 is an interesting study. One finds, for instance, that the officers of the Navy were listed in accordance with seniority; that is, in 1915 exactly in the order in which they graduated and followed by the 1916, the 1917, and 1918 classes. The graduates of the Naval Academy in 1918 are followed by a group of World War officers, approximately 200 in number. The Naval Academy class of 1919 follows. After this class another group of World War officers appears, approximately 500 in number. Thereafter the class of 1920 from the Naval Academy takes its place, after which a few World War officers are found, the remainder of the World War group.

World War conditions and the building program of 1916 resulted in the induction of a larger number of officers from 1917 to 1924 than had ever been brought into the service before.

The Navy Register, dated June 1, 1934, shows that the number of officers that entered the service between 1917 and 1924 was larger than all the other officers in the Navy, that is, officers who were in the Navy before the war and officers who had come into the Navy after the war. This has been commonly referred to as the "hump." In an effort to eliminate the "hump," a selection law was passed in 1934 which extended selection down below the grade of lieutenant commander. Nothing of this kind had existed before in the Navy. The first group of officers to be affected by this legislation were the officers who had entered during the World War. This may have been accidental. It looks much as though it were by design. Prior to that time all the officers on reaching the top of the lieutenants' list were automatically promoted to the grade of lieutenant commander. But the 1934 law made drastic changes. The group of World War officers were subjected to selection, or, shall I say, to elimination. This selection or elimination process was carried out so drastically among the World War officer group that only 15 out of each 100 officers whose names appeared before the board were cited for promotion to the next higher rank. Contrast this, if you will, with the automatic promotion that the World War officers had a right to expect would continue. Careers went up in smoke.

It is safe to say that partial admission at least was made in 1934 that this elimination process was necessary to get rid of the "hump." Frantic efforts were made to justify the legislation. Every excuse, real and imaginary, was seized upon as a reason for the need for the legislation. The longer the

excuses continued and the louder they became the more grotesque they appeared. War games fell into second place as the high Navy command sought to defend the elimination process. Most fair-minded men admit today that grave injustices and irreparable harm were done as a result of the 1934 act. Fitted officers, capable officers, splendid officers, were eliminated that should have continued to give to the country the benefits of their training and experience.

Dissatisfaction was rampant throughout the officer personnel of the Navy. But in most instances officers were reluctant to venture an expression of opinion lest their indiscretions in this respect might be charged against them. It is known that appeals were made to the Navy Department. Congress heard the complaints. Demands were made and insisted upon that something must be done to correct the mistakes and overcome the objections to the legislation. Unsigned communications from naval officers in all parts of the country were received protesting against the provisions of the 1934 act. Not only those who were affected but those who would be affected in the future were apprehensive. They naturally wondered what their future would be. They saw officers with excellent records, who had served during the war and immediately after the war, involuntarily separated from the service. Officers with letters of commendation from superiors, officers with exemplary records, fell by the wayside. A feeling of insecurity permeated the whole service.

The demand for correction finally brought about some concessions. Hearings were held. The 1938 bill was enacted. It had some redeeming features. It had glaring defects. The one redeeming feature that I might comment on is the fact that it retained in the service for some years officers who would probably have been retired under the old law. While the shortcomings of the bill were recognized by many who have made a study of the problem, it was not until after it had been put into practice that the mistakes were acknowledged. The 1939 amendments are therefore before us.

I wish to direct the attention of the House at this time to one feature in the 1938 law, and which is not corrected by the amendment now before us, which certainly is untenable and unreasonable. It may surprise many of you to know that the class of 1910 becomes junior to the class of 1911. The 1917 and 1918 men—that is, the World War men—become junior to the Naval Academy graduates of 1919, but worst of all the World War officers who were commissioned in 1917, 1918, and 1919 were made junior to officers who had graduated from the Naval Academy in 1925. The result of this is that we find upon the Navy list today officers who were serving at sea as commissioned officers in the trying days of 1917 and 1918 now junior to officers who first went to sea in 1925. The demoralizing effect of such a condition is apparent to all. The amendment which I have offered is intended to correct this situation. The situation must be corrected if morale is to be maintained.

The purpose of the amendment which I have offered is to correct the injustices now visited upon the World War men. I have a most profound respect and regard for the chairman of the Naval Affairs Committee. He had charge of last year's bill. He is familiar with the provisions that affect adversely the World War men of the Navy. I believe he would like to correct the condition that exists. The World War men are behind the Naval Academy classes of 1918 and 1919 under existing law. If I am in error, I wish the chairman of the committee would correct me.

Mr. VINSON of Georgia. I will say to the gentleman that I am unable to comment as to the correctness of the gentleman's statement, because I do not have the information.

Mr. DITTER. Will not the gentleman be gracious enough to concur with me? I respect the gentleman's opinion. He knows the selection law from A to Z. He certainly knows what the provisions of this present bill are. If I were making an inaccurate statement, I am convinced the gentleman would challenge me. I therefore assume that I have the happy privilege of having his concurrence.

Mr. VINSON of Georgia. If some Member of the House were on his feet correcting every misstatement of every gentleman, someone would be on the floor all the time; so I am letting the gentleman make his statement in his own way.

Mr. DITTER. I paid my compliments to the gentleman. I do have a profound respect for his intimate knowledge of the dotting of every "i" and the crossing of every "t" in the present selection bill. If my statement with reference to the World War men were inaccurate, I know the gentleman would correct me.

Mr. VINSON of Georgia. I stated to the gentleman that I did not know, but I would assume his statement was correct.

Mr. DITTER. The same situation prevails with that group which came in in 1919; the same with 1920, 1921, 1922, 1923, and 1924. That group of officers is at the present time in back of the 1925 class from the Naval Academy. The purpose of my present amendment is to clear up those conditions.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. DITTER. I yield.

Mr. VINSON of Georgia. As I understood the gentleman's amendment in the section he has referred to, it relates to the promotion list—officers placed on the promotion list; is that correct?

Mr. DITTER. That is correct.

Mr. VINSON of Georgia. The gentleman's amendment proposes to place them from the date of their commissioned service instead of as the law now provides?

Mr. DITTER. That is all. In other words, to let them go along according to the date of their original commission in the Navy. In view of the gentleman's very gracious and generous treatment of the other amendments that have been offered, I feel confident he will do the same with this amendment.

Mr. VINSON of Georgia. I will say that I had not thought about any injustice ever having been done that group of officers. Of course, no one wants to do any injustice to officers who came in as a result of the war and received a commission. As far as I am concerned, pending further study following the enactment of the bill, I have no objection to the gentleman's amendment coming in, but I cannot say what will be the outcome of it after some study is made of the subject matter.

Mr. DITTER. Then I assume the gentleman will accept the suggested amendment?

Mr. VINSON of Georgia. For the time being, and let it go into the bill.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. DITTER].

The amendment was agreed to.

The CHAIRMAN. If there are no further amendments, the Committee will rise, under the terms of the resolution.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. JONES of Texas, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 4929) to amend the act of June 23, 1938 (52 Stat. 944), pursuant to House Resolution 170, he reported the same back with sundry amendments adopted in Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed, and a motion to reconsider was laid on the table.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1940—CONFERENCE REPORT

Mr. TAYLOR of Colorado, from the Committee on Appropriations, submitted a conference report and statement on the bill (H. R. 4852) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1940, and for other purposes, for printing in the RECORD.

DETENTION OF CERTAIN ALIENS PENDING GRANT OF PASSPORTS

Mr. COLMER, from the Committee on Rules, submitted the following report (Rept. No. 498), to accompany House Resolution 175, which was referred to the House Calendar and ordered to be printed:

House Resolution 175

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of H. R. 5643, a bill to invest the circuit courts of appeals of the United States with original and exclusive jurisdiction to review the order of detention of any alien ordered deported from the United States whose deportation or departure from the United States is not effectuated within 90 days after the date the warrant of deportation shall have become final; to authorize such detention orders in certain cases; to provide places for such detention; and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on the Judiciary, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

EXTENSION OF REMARKS

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein an article which appeared in a Washington paper of today.

The SPEAKER. Without objection, it is so ordered.

AVIATION CADETS IN NAVAL AND MARINE CORPS RESERVES

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 171.

The Clerk read as follows:

House Resolution 171

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 5765, a bill to authorize commissioning aviation cadets in the Naval and Marine Corps Reserves upon completion of training, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. DELANEY. Mr. Speaker, does the gentleman from Michigan desire any time on the rule?

Mr. MAPES. Mr. Speaker, I have no request for time, and there is no opposition to the rule on this side of the aisle.

Mr. DELANEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to, and a motion to reconsider was laid on the table.

Mr. VINSON of Georgia. Mr. Speaker, in view of the adoption of the rule I ask unanimous consent that the bill made in order thereby, H. R. 5765, to authorize commissioning aviation cadets in the Naval and Marine Corps Reserves upon completion of training, and for other purposes, may be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Naval Aviation Reserve Act of 1939."

SEC. 2. Aviation cadets may, if qualified after completion of training, be commissioned ensigns in the Naval Reserve or second lieutenants in the Marine Corps Reserve.

SEC. 3. Ensigns or second lieutenants commissioned pursuant to this act may, after 3 years of service as such and if found qualified after such examinations as the Secretary of the Navy may prescribe, be commissioned lieutenants (junior grade) in the Naval Reserve or first lieutenants in the Marine Corps Reserve, respectively: *Provided*, That the active duty of aviation cadets subsequent to completion of their active duty while undergoing training shall be counted as such service for the purposes of promotions authorized by this section.

SEC. 4. All members of a class of aviation cadets entering the naval service at approximately the same time shall be deemed, for all purposes of this act, to have commenced their commissioned service on the same date.

SEC. 5. Officers commissioned pursuant to this act may be employed on active duty in time of peace only during the 7-year period next following the completion of their duty as aviation cadets undergoing training, except that such officers may be ordered to active duty thereafter for the purpose of instructing and training members of the Naval Reserve and the Marine Corps Reserve.

SEC. 6. When officers, commissioned pursuant to this act, are released from active duty that has been continuous for a period of 4 or more years, including active duty both as aviation cadets and as commissioned officers, they shall be paid a lump sum of $500 in addition to any pay and allowances which they may otherwise be entitled to receive, except as hereinafter provided.

SEC. 7. Government life insurance issued in accordance with section 5 of the act of April 15, 1935 (34 U. S. C., 846), shall continue when an aviation cadet is commissioned pursuant to this act; the premiums thereon shall be deducted from the pay of the officers concerned and paid by the Secretary of the Navy to the Administrator of Veterans' Affairs. When released from active duty or discharged they shall have the option of continuing such insurance at their own expense.

SEC. 8. Aviation cadets, who have completed active training duty on the date of this act and who may be commissioned pursuant thereto, may elect, when so commissioned, to receive the pay and allowances authorized by section 2 of the act of April 15, 1935 (49 Stat. 157; 34 U. S. C. 843), for aviation cadets while on active duty not undergoing training in lieu of the pay and allowances authorized by section 7 of the Naval Reserve Act of 1938 (52 Stat. 1176; 34 U. S. C. 853e). In such case they shall be paid a lump sum of $1,000 upon the completion of 4 years' active duty, and a further lump sum of $500 upon release from active duty thereafter whenever occurring; and in such case the premiums on the Government life insurance shall continue to be paid as provided in section 5 of the act of April 15, 1935 (49 Stat. 157; 34 U. S. C. 846), until such persons have completed 4 years of active duty, including active duty both as aviation cadets and as commissioned officers; thereafter such premiums shall be deducted and paid as provided in section 7 of this act.

SEC. 9. Pay and allowances of officers commissioned pursuant to this act shall be paid from appropriations for "Pay, subsistence, and transportation of naval personnel" and "Pay, Marine Corps," except for those officers ordered to active duty pursuant to authority contained in the exception in section 5 of this act the pay and allowances of whom shall be paid from appropriations for "Naval Reserve" and "Pay, Marine Corps."

SEC. 10. No back pay or allowances shall be held to have accrued under this act prior to its enactment.

SEC. 11. When first commissioned pursuant to this act, officers shall be paid a uniform allowance of $150, provided they have not already received the uniform allowance of $150 authorized to be paid to aviation cadets upon their first assignment to duty after completion of training, and as provided in section 3 of the act of April 15, 1935 (49 Stat. 157; 34 U. S. C. 844).

SEC. 12. (a) Section 1 of the act of April 15, 1935 (49 Stat. 156; 34 U. S. C. 842), is hereby amended by deleting therefrom the last sentence.

(b) Section 3 of the act of April 15, 1935 (49 Stat. 157; 34 U. S. C. 844), is hereby amended by deleting therefrom the last sentence.

(c) Section 6 of the act of April 15, 1935 (49 Stat. 157; 34 U. S. C. 847), is hereby repealed.

(d) The first proviso of section 5 of the Naval Reserve Act of 1938 (52 Stat. 1176; 34 U. S. C. 853c) is hereby amended to read as follows: "*Provided*, That aviation cadets and officers commissioned pursuant to authority contained in the Naval Aviation Reserve Act of 1939 may be required to serve on active duty for a continuous period of 4 years from date of appointment as aviation cadets."

(e) Section 302 of the Naval Reserve Act of 1938 (52 Stat. 1180; 34 U. S. C. 855a) is hereby amended by changing the period at the end thereof to a colon and adding the following proviso: "*And*

provided further, That the provisions of this section shall not apply to officers commissioned pursuant to authority contained in the Naval Aviation Reserve Act of 1939."

With the following committee amendments:

Pages 3 and 4, strike out section 8 and insert in lieu thereof the following:

"SEC. 8. Aviation cadets who have completed active duty undergoing training on the date of approval of this act and who may be commissioned pursuant thereto shall, upon completion of 4 years' active duty, be paid a lump sum determined as $1,000 minus the excess of the pay and allowances received by them prior to the date of such completion of duty over the pay and allowances, with which shall be included Government paid insurance premiums, which they would have received as aviation cadets had they not been commissioned. No person shall be held to be indebted to the United States as a result of the provisions of this section. Payments authorized by this section shall be in addition to that authorized by section 6 of this act."

Pages 5 and 6, strike out lines 23, 24, and 25 on page 5 and down to and including line 4 on page 6 and insert in lieu thereof the following:

"SEC. 13. Section 10 of the Naval Reserve Act of 1938 (52 Stat. 1178; 34 U. S. C. 853h), shall be applicable to the procurement and training of aviation cadets and of officers of the Naval Reserve and Marine Corps Reserve commissioned pursuant to this act. The minimum numerical strength to be achieved in aviation officers of the Reserves is set at 6,000.

"SEC. 14. The Secretary of the Navy is hereby authorized and directed to appoint a board of officers of the Navy and Marine Corps to investigate and report upon all matters concerning the Regular and Reserve aviation personnel of the Navy and Marine Corps. The board shall make such recommendations, including recommendations regarding the enactment of permanent legislation, as it deems appropriate and justified concerning the subject matter herein referred to. The Secretary of the Navy is further directed to cause the report of the board herein authorized to be transmitted to the Speaker of the House of Representatives within 10 days of the beginning of the session of the Seventy-sixth Congress, commencing on or about January 3, 1940."

Mr. VINSON of Georgia. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, in this Congress the Naval Affairs Committee has brought in bills which have been enacted into law for the betterment of the Navy, for its increase to provide an adequate first line of defense for the Nation.

We have authorized the increase of the ships and the planes of the Navy, and we have changed the personnel laws so that we might avoid the wastage of qualified officers which was impending under the prior promotion law. Now this bill provides for another of the necessities of the Navy—a proper supply of experienced naval aviators.

It does not inaugurate a new system, but it extends and enlarges an existing system.

Four years ago, when it became apparent that enough officer aviators could not be obtained from the commissioned line of the Navy to man the increasing aviation forces of the fleet, the aviation cadet system was instituted. By this system young men of intelligence, education, and ambition could apply for aviation service in the Navy. On their volunteering they were checked for their adaptability to aviation by a brief 30 days' test training and after they had demonstrated satisfactory qualifications therein were sent to the Naval Air Station at Pensacola for a year's intensive course. On acceptance for this course at Pensacola they were required to sign up to serve for 4 years and were given the rank of aviation cadets. Upon graduation from the training course they were to serve in the fleet for the remainder of their 4 years and then to be discharged with a discharge payment of $1,500 in order to furnish them with a proper capital to begin their civil life. As aviation cadets they were in the Naval Reserve, and after the completion of their 4 years' service they were to be offered a commission as ensign in the Naval Reserve but were not to be continued on active duty therein.

The response to this opportunity by the young men of the Nation has been most gratifying. Many more applications have been received than could be accepted. Most of the aviation cadets who have been enrolled have been college graduates. They have made excellent naval aviators and their service in the fleet has supplied the deficiency in aviators which otherwise would have seriously hampered the development of naval aviation and would have weakened the preparedness of the Navy for emergency.

There are, in round numbers, about 1,000 of these cadets now—778 in active service after training and nearly 300 under training. The first year's class entering in 1935–36, after the inauguration of the system, is about to complete its 4 years, and, under the law, to be discharged.

On graduation from Pensacola they were competent flyers, but now after 3 years' service in the fleet they are experienced naval aviators, and with the expanding aviation forces of the Navy their services are of such value that adequate opportunity and inducement should be offered to them to continue.

This bill provides that opportunity and inducement. It recognizes their abilities and the value of their services by granting them a commission on graduation from Pensacola instead of awaiting the completion of their entire 4 years' service. It grants them a promotion at the end of this 4 years' service, and with this increased rank and pay permits them to serve 4 years longer. It does not require them to sign up for this additional 4 years, or for any part thereof, since they have discharged the obligation to the Government implied in their receipt of an extensive training course by their service of 3 years in the fleet; but we hope, and the Navy Department believes, that a large proportion of them will voluntarily extend their services beyond their obligated period.

There have been statements in the press that the Army and the Navy would outbid each other for aviation cadet material in order each the better to supply the needs of its expanded aviation branches. This is not, however, an attempt to outbid the Army, but simply duplicates the provisions of their recent laws with regard to aviation cadets. As in the Army, the Navy aviation cadet on graduating from his training is commissioned in the Reserve.

In both services a total period of active duty of 7 years after graduation is allowed. In both services a discharge payment at any time after 4 years' service of $500 is allowed. This payment is reduced from the old $1,500 allowed the aviation cadet, because now, with his commission received immediately after graduation, he will during his 3 years' active service receive considerably higher pay than before.

With these comments I think that the bill may be readily understood. To survey it rapidly, however:

Section 2 provides for the commissioning of aviation cadets on graduation from flight training at Pensacola or elsewhere.

Section 3 provides for their promotion in rank to the next higher grade after 3 years' active duty, and in a proviso accredits the active duty of present-day aviation cadets toward this 3 years in order that they may be on a par with subsequent appointees.

Section 4 is purely administrative and allows the graduation of a group at the same time, irrespective of minor differences due to illness or brief delay for one reason or another.

Section 5 limits the active service of these officers after training to 7 years, except that they may be employed thereafter to train other flyers of the Naval Reserve.

Section 6 provides for the $500 discharge payment after 4 years' active duty.

Section 7 requires the continuation of Government life insurance, now prepaid by the Government for the aviation cadet, but thereafter, because of their increased pay and allowances, to be paid for by the officers themselves.

Section 8 as amended makes a discount for those aviation cadets who are now about to complete their service and who may under the law anticipate a $1,500 discharge payment. Obviously, if they have but a few weeks or months yet to do on their 4 years' service, the increased pay and allowances which they would receive by virtue of their new commissioned status would not make up for the loss of $1,000 now that the discharge payment is reduced by the bill to $500. Consequently this section provides an appropriate method of computing the payment to see that they suffer no loss because of the enactment of the bill.

Section 9 makes an appropriate change in the allocation of the charges for these officers in the fleet from the Naval Reserve appropriation to the appropriation which is now responsible for the personnel of the operating Navy.

Sections 10, 11, and 12 are of minor nature and are explained fully in the report.

Section 13 assures that the requirement of the Naval Reserve Act that the Reserve shall be built up to strength by equal annual increments during the next 10 years is applicable also to this group of officers of the Naval Reserve. It sets a minimum goal at 6,000 Reserve aviators.

Section 14 requires an investigation and report on the aviation personnel situation of the Navy by the convening of the next Congress in order that any further recommendations for legislation which may develop after a further study may be available for the Congress.

I believe that enactment of this bill will represent a major benefit to the Navy in providing for sufficient skilled aviators properly to man its increasing aviation forces, and the committee earnestly recommends its enactment. [Applause.]

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

Mr. VINSON of Georgia. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their own remarks on the bill just passed and also on the bill H. R. 4929.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio speech delivered last Saturday.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. Under the special order of the House heretofore made, the gentleman from Massachusetts [Mr. TREADWAY] is recognized for 20 minutes.

TRADE TREATIES

Mr. TREADWAY. Mr. Speaker, my remarks today are in part prompted by recent speeches made by the gentleman from Mississippi [Mr. RANKIN] and the gentleman from Arkansas [Mr. KITCHENS] in reference to my attitude toward the trade-treaty program and the tariff in general.

From time to time the House has listened to speeches made in defense of the trade-treaty program, in which its proponents have purported to answer the charges made against the program by myself and others.

In many instances these speeches in defense of the program had all the earmarks of having been prepared by the State Department's propaganda machine, which has been flooding the country with one-sided and frequently misleading information about the trade treaties and their effects.

It has been my observation that all those who have risen to the defense of the program have had some selfish interest in a particular treaty, which possibly has resulted to some advantage to an export product of their district. I except the gentleman from Mississippi from this category, because, as we all know, he is in a class by himself when it comes to the tariff.

Most Democrats regard the tariff as a local issue. They favor tariffs on the products of their own districts but are opposed to tariffs on anyone else's products. The gentleman from Mississippi is perfectly consistent—he is against tariffs on anything.

In the course of a number of speeches I have made on the subject of trade treaties I have referred to certain fundamental criticisms of the program. In all the replies that have been made to those speeches by trade-treaty proponents I have noted that they never try to answer any of the fundamental criticisms.

They take up certain minor points, which have no bearing on the real issues involved, and try to throw up a smoke screen which will distract attention from the basic objections to the program.

One of my purposes in addressing the House today is to set forth a few of these fundamental objections and to challenge the proponents of the trade-treaty program to answer them directly and without equivocation. Let me enumerate a few of these fundamental objections to the trade-treaty program which I have in mind:

FUNDAMENTAL OBJECTION NO. 1

The trade-treaty program involves an unconstitutional delegation of the tariff- and treaty-making powers of Congress by giving to the executive department discretionary legislative authority in reducing tariff duties and in entering into foreign trade treaties without Senate ratification.

If the Executive is not to be governed by any legislative rule or formula in making tariff concessions, the trade treaties should be subject to congressional approval.

And that has been a fundamental objection to the trade-treaty program from the start on the part of myself and others who think as I do on the subject. Inasmuch as the trade agreements involve the revenue, the House of Representatives should have a voice in their ratification, as well as the Senate.

FUNDAMENTAL OBJECTION NO. 2

By encouraging the importation of competitive foreign products, the trade-treaty program runs contrary to the basic purpose of foreign trade, which is to exchange our surplus products for the products of other lands which we need but do not produce ourselves.

That applies particularly at the present time to the recently negotiated treaty with Great Britain under which the rates on many articles have been changed—rates on products we can and do manufacture ourselves here in this country with American labor under American living conditions and an American scale of wages. Foreign articles are being brought into this country in direct competition with our own manufactured goods.

It is neither fair nor of any net benefit to this country to sacrifice certain industries and certain workers to the ravages of foreign competition in the mere hope of securing increased foreign markets for the products of some other American industry or group of workers.

The American market is the birthright of our own people, and they should be allowed to produce the goods consumed therein to the extent of their capacity to do so.

FUNDAMENTAL OBJECTION NO. 3

By permitting tariff reductions below the amount of duty necessary to offset foreign cost-of-production advantages, and thereby subjecting our home producers to unfair competition from the cheap products of other lands, the trade-treaty program drives our home producers out of business, takes jobs away from our workers, depresses our price structure, and undermines our American wage and living standards.

The rate structure under the Tariff Act of 1930 was built up not for the purpose of placing an embargo on foreign goods but only to equalize competitive conditions in the home market as between foreign and domestic producers. If any of the rates are too high or are inadequate, they can be adjusted under the so-called flexible tariff provisions after a finding by the Tariff Commission as to the amount of duty required to exactly offset the foreign cost-of-production advantage.

All we ask is the difference between the foreign cost of production, which is very low, and our own. I for one will stand back of the American producer, the American laborer, and American living conditions as against foreign competition. We ought to have a duty that will accomplish that.

FUNDAMENTAL OBJECTION NO. 4

Under the treaty program, the concessions which we make to a particular country in return for concessions from that country are extended generally to the whole world, save Germany alone, without requiring these other countries to give us reciprocal concessions in return, and despite the fact that in many instances such other countries actively discriminate against American products.

FUNDAMENTAL OBJECTION NO. 5

The negotiation of the trade treaties is carried on in an arbitrary and high-handed manner. The only opportunity American producers have to be heard on a proposed treaty is before its actual negotiation takes place, and then only before a "buffer" committee which has nothing whatever to do with the actual negotiations.

The terms of a treaty are never made known until after it has actually been signed by the President and thus been made binding on this country.

If that is the American method of writing laws, I would rather see some other system adopted.

Of course, many other objections to the present trade-treaty program could be raised, but I believe its proponents will have their hands full if they can satisfactorily answer the few that I have enumerated. I know these gentlemen will do me the honor of endeavoring to answer them, but whether they can do it satisfactorily or not remains to be seen when they either take the floor or ask to address the House for 1 minute and then extend their remarks and fill up a couple of pages in the RECORD.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. KNUTSON. I am sure the House will be interested in having the gentleman from Massachusetts tell the membership something about the effects the Cuban treaty has had upon Puerto Rico, as was testified to before the Ways and Means Committee several weeks ago by Gov. Blanton Winship and Dr. Gruening.

Mr. TREADWAY. That was a very interesting hearing that we had to which the gentleman from Minnesota refers, and it is a matter of record in the social-security hearings before the Ways and Means Committee.

I was very much astonished, and I am sure the gentleman from Minnesota was also, at the testimony given of the serious and deleterious effect of the trade-treaty program on Puerto Rico and its industries. If the gentleman cares to have it repeated, I shall be glad to extend my remarks in the RECORD by inserting some of the testimony given by officials of Puerto Rico.

Mr. KNUTSON. Especially as it affects pineapples and embroidery.

Mr. TREADWAY. Yes; I shall be very happy to insert that testimony.

Governor Winship testified as follows:

Mr. REED. You say that the wage and hour bill and the reciprocal-trade treaties have affected that industry.

Governor WINSHIP. Yes sir; that industry a year and a half ago was $21,000,000 a year. It has dropped to half that at the present time and is threatened with extinction.

Mr. REED. Will you tell us how it is adversely affected?

Governor WINSHIP. In this way: With reference to the tariffs, the reciprocal-trade agreement with Switzerland, for instance, in considering her needlework industry, was given a special tariff rate, and under the most-favored-nation clause the tariff concession on hand-made handkerchiefs was extended to Japan and China and every other country in which there are low wages. In discussing this problem some time ago before the Committee for Reciprocity Information that the State Department had convened, for the purpose of a hearing on that subject, I said to them, "Before you put into effect the Wages and Hours Act you ought to put something into effect that will protect these people who are going to work under the Wages and Hours Act and give them an opportunity to compete with the people on the other side."

Mr. REED. That is, the wage and hour legislation has thrown the wages to a higher point, so that they cannot compete with the other countries?

Governor WINSHIP. The Federal Wages and Hours Act proposed for Puerto Rico wages at a minimum of 25 cents an hour; the Swiss trade agreement, which extends to China and Japan, under the most-favored-nations clause, the right to come under the provisions of that agreement, brought products in from there that were made at 5 and 6 cents a day for labor, and we are required to pay 25 cents an hour.

Gentlemen, there may have been some great consideration on our part for poor China and all her troubles, and so forth, but at the present time Japan holds that very area that produces these goods, and Japan is getting the benefit of these Swiss agreement concessions at the present time. Importations have continued to come in on account of the fact that Japan is holding all of that area, and you know that Japan will make China pay "through the nose" for all those different things, and get the benefits that might otherwise have gone to the poor Chinese laborers over there.

Mr. REED. I assume that would be true, but I am just wondering if that is temporary, and if the war has relieved it to any extent.

Governor WINSHIP. The proposition is that day by day our needlework industry, and particularly our handkerchief industry, is growing smaller, and we are getting more and more people to feed down there, and this summer and next winter we are going to have six or seven hundred thousand people to look after, and we are trying to provide for them.

The following is from Dr. Gruening's testimony:

Mr. KNUTSON. Let me ask you this: Have any of the reciprocal-trade agreements we have made been felt in Puerto Rico?

Dr. GRUENING. Yes, sir; they have.

Mr. KNUTSON. Which one?

Dr. GRUENING. The Cuban treaty in particular; the British treaty and the Swiss treaty.

Mr. KNUTSON. I would be glad if you will give us a few details of that.

Dr. GRUENING. Puerto Rico had a flourishing pineapple industry and we were all very much pleased with this industry, because it had all the factors that a crop needed in Puerto Rico, uniquely so; it competed with no crop on the American mainland or Territorial market—it didn't even compete with the Hawaiian pineapple, which is of a different type and used for canning—Puerto Rico's was a crop of fresh pineapple and sold chiefly along the Atlantic seaboard. It had the second advantage that it was hurricane-proof. A crop like coffee, if a hurricane hits it, is not merely lost for that year but for several years—other crops are also injured by hurricanes, but pineapples are hurricane proof. It is a small man's crop. A fellow could go out and grow pineapples on half an acre or on 1 or 2 acres, so that it was desirable, both economically and socially. In the Cuban Treaty the differential was so lowered that the Puerto Rican pineapple industry is being put out of business.

I appeared before the Committee on Trade Agreements and made an emphatic protest against this differential and appealed to them that Puerto Rico's pineapple industry be protected in the revision of the Cuban agreement, but apparently they were determined to consider tropical products from the standpoint of benefiting Cuba. We don't know yet how this new pending agreement is coming out, but we are very fearful it will contain further discriminations against Puerto Rico.

The British treaty agreement lowered the tariff on coconuts from $2.50 to $5 a hundred. That was not a tremendous thing in appearance, but actually it means that the low-wage regions such as Jamaica and the Bahamas, and all the competing British islands in the Caribbean, can send in their coconuts at a price which the Puerto Ricans cannot meet.

The Swiss agreement made a reduction in needlework which very seriously injured the needlework industry. That is more or less academic now, because the wage and hour bill has completely flattened out the needlework industry. But it seems to me rather tragic that when we were casting about, making every effort to find some crop for Puerto Rico that would not be limited by quota, such as sugar is, not destroyed by hurricane, such as coffee, not destroyed by some other factor or by competition which they could not meet, such as the citrus-fruit competition of Florida and Texas, which naturally prevents Puerto Rico citrus fruits from amounting to much, with the high cost of transportation—we developed pineapples and found a crop that was supported and would have increasingly supported a great many thousands of people. Now it has been ruined by the Cuban Treaty.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore (Mr. ROMJUE). Does the gentleman from Massachusetts yield to the gentleman from Mississippi?

Mr. TREADWAY. I yield.

Mr. RANKIN. Is it a fact that the gentleman from Minnesota still owns a pineapple plantation in Haiti?

Mr. KNUTSON. The gentleman is mistaken.

Mr. TREADWAY. The gentleman has answered for himself, but in any event the gentleman from Minnesota is extremely familiar with the conditions that have existed in the islands even since he became a member of the Committee on Ways and Means succeeding his labors as chairman of the Committee on Insular Affairs.

Mr. KNUTSON. Will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Minnesota.

Mr. KNUTSON. The gentleman will recall the promises that were made back in 1932, and one of the first things that the new administration said they would do upon taking office would be to repeal the so-called iniquitous Smoot-Hawley bill.

Mr. TREADWAY. Yes.

Mr. KNUTSON. I notice no effort has been made to do so. The reason, I understand, is because they looked into it and found it would bring absolute chaos in this country were that done.

Mr. TREADWAY. Let me ask the gentleman if that is the only pledge made in the campaign of 1932 that has been forgotten since that time? All you have to do is to look at the platform of the Democratic Party at that time and put a zero mark after every item that appears there. [Applause.]

All we hear in reference to the tariff act is that the rates are too high, but no one brings in evidence to show the effect that they claim.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Our own Government paid the American holders of gold and gold certificates $20.67 an ounce. Since that time the Government has bought about $8,000,000,000 worth of foreign gold for which it paid $35 an ounce. While they do not believe in our protective tariff for American industry they certainly do believe in the policy of paying a subsidy and a high subsidy for foreign industries, do they not?

Mr. TREADWAY. Yes. Not only that, but they have put into effect that same policy again by legislation passed last week. They want to continue this beneficial treatment of foreign gold owners and foreign countries. They buy gold at a high price for our Government, to be stored down in the hills in the neighborhood of where the gentleman resides, and he knows what mighty little use it is put to down there. I do not believe he has seen much of it in circulation in his neighborhood. If he has, it has not percolated up here.

Mr. ROBSION of Kentucky. Not a dollar, and they are in bad shape all around that country.

Mr. TREADWAY. We are getting in worse shape all the time, not only on account of our gold purchases but on account of our silver purchases. I believe in paying a fair price for the things we purchase, but why pay double? Why does Uncle Sam have to pay practically double for that gold and newly mined silver?

Mr. KNUTSON. Uncle Sam paid double to the international bankers for their gold, too, but he did not do so to American citizens.

Mr. TREADWAY. What about silver?

Mr. KNUTSON. That is almost as bad.

Mr. TREADWAY. Mr. Speaker, I feel highly honored at the presence of the gentleman from Arkansas [Mr. KITCHENS] and the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Do not forget there are also three Republicans here.

Mr. TREADWAY. I do not need them. If as a result of my talk this afternoon I can convince two such men as the gentleman from Arkansas and the gentleman from Mississippi with reference to the demerits of the trade-treaty program, I would have considered my day as mighty well spent; but whether I can accomplish that purpose or not, I am going to keep hammering at this proposition, because it is an iniquitous law and ought to be taken off the statute books. I hope the gentlemen will come along with me.

Mr. MURRAY. Will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Wisconsin.

Mr. MURRAY. May I ask the gentleman this question: As long as our exports of agricultural products stand at 25 percent and the importations of agricultural products stand at 50 percent, we are justified, are we not, in saying that the farmer is being crucified on the altar of world commerce?

Mr. TREADWAY. That is another expression for one I used more than a year ago on the same general subject when I frequently referred in the course of my remarks to the fact that the farmer had been "sold down the river."

Mr. CRAWFORD. Will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Has the gentleman made any remarks with reference to the trading of cotton and its relationship to the provisions of that deal being contrary to the reciprocal-trade agreement program?

Mr. TREADWAY. I discussed that on another occasion. I am only dealing with a few fundamental objections to the trade-treaty program at the present time. Later on I shall take a few minutes of my time to bring up another subject matter. I am afraid I will not have time to go into that matter again.

Mr. ROBSION of Kentucky. We have heard much about the New Deal and up-to-date policies. I see we are now working on a proposition of barter.

Mr. TREADWAY. Yes.

Mr. ROBSION of Kentucky. I should like to know how new it is to the world to have to exchange goods for goods.

Mr. TREADWAY. It is not a new proposition. I made a few remarks on that subject a week or so ago which did not quite seem to satisfy some of our friends on the Democratic side, but I cannot be responsible for their viewpoint, you know.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. Certainly.

Mr. CRAWFORD. Going back to the question I raised a moment ago, does not the gentleman believe it would be sound for the Government, insofar as it is going to hold commodities, to reduce its long position on cotton and strengthen its short position on other commodities, even though this does run contrary to the reciprocal-trade agreement program? Does not the gentleman believe this would be a good policy for the Government to follow?

Mr. TREADWAY. I do; and if the gentleman is advocating it I shall be here to listen to the speech he will make on the subject.

Mr. CRAWFORD. I wish to say I am very much in favor of doing that very thing.

Mr. TREADWAY. I read only yesterday some comments on how liberal we are going to be toward cotton growers, paying them 2 cents a pound additional as a subsidy. The gentleman does not get an extra subsidy like that for his beet-sugar growers up in Michigan, does he?

Mr. CRAWFORD. Under the present sugar program there is a benefit which goes to the growers of sugar beets.

Mr. TREADWAY. But you are limited as to the quota you can have.

Mr. CRAWFORD. Oh, yes; very much limited. In other words, if they permitted stocks of sugar to pile up in the warehouses as cotton has piled up, and then in addition to giving soil conservation and special benefit payments, exported that sugar to other countries and at the same time furnished an additional subsidy to all growers, you would have a situation somewhat similar to what applies on cotton. It seems to me the administration is very sound in reducing its long position in cotton and strengthening its short position in other commodities, even though this does run contrary to the reciprocal-trade agreement program.

Mr. TREADWAY. If it runs contrary to the reciprocal-trade treaty program it certainly cannot be very agreeable to the Secretary of State, who is the father of the reciprocal-trade treaties.

Mr. CRAWFORD. I believe that is true; but it does show the difficulty the administration will continue to get into in attempting to administer the reciprocal-trade agreement program as heretofore followed.

Mr. TREADWAY. I do not believe the gentleman from Michigan or I will be very seriously affected with sorrow if they get in difficulties in administering that program.

Mr. CRAWFORD. I agree with the gentleman from Massachusetts.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield very briefly, as I wish to discuss another subject.

Mr. KNUTSON. Touching on the subject the gentleman mentioned a minute ago, it is my recollection that Colonel Batista returned to Cuba on the 28th of November and gave out an interview to the effect that the Cuban trade agreement had been renewed, whereas as late as December 1 the State Department told inquirers that the matter was just undergoing examination.

Mr. TREADWAY. There was just a little discrepancy. They got their wires crossed in some way.

Mr. KNUTSON. There was a discrepancy of about 3 days.

Mr. TREADWAY. Last Monday there appeared in the press a statement given out by the minority leader [Mr. MARTIN of Massachusetts] in which he outlined a suggested program for business recovery and reemployment. In my opinion it was an admirable program, and I am glad to endorse it.

One of the propositions laid down in this program was that there should be a special congressional committee appointed to study the effects of the trade-treaty program upon industry and agriculture. This suggestion is very timely, and I am today acting upon it by introducing a resolution for this purpose.

At the present time the trade-treaty program is entirely in the hands of the executive department. Despite the fact that Congress is charged, under the Constitution, with the full responsibility for fixing tariff rates, it has no say whatever as to any of the changes made under the trade treaties. There is no opportunity for ratification of the treaties by either branch of Congress.

Opposition to the treaty program has grown by leaps and bounds. The farmers of the country feel that they have been unjustly treated; and they have good ground for complaint.

Our manufacturers point to the difficulty of maintaining price and wage levels in the face of tariff reductions on competitive foreign products; and they have good ground for complaint.

Our workers feel that their jobs are being turned over to the cheap labor of Europe and the Orient; and they, too, have good cause for complaint.

Mr. HAWKS. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Wisconsin.

Mr. HAWKS. Can the gentleman tell me why the League of Women Voters of the United States should be so heartily in favor of the trade treaties?

Mr. TREADWAY. I cannot answer the gentleman's question?

Mr. HAWKS. Does the gentleman receive, as I do, long letters in defense of the trade treaties?

Mr. TREADWAY. Oh, yes.

Mr. HAWKS. From the League of Women Voters?

Mr. TREADWAY. I do not recall the source of them, but we certainly get plenty of them from various sources, and they are inspired.

Mr. RANKIN. Mr. Speaker, may we have order in the rear of the Hall? There is too much conversation back yonder on both sides of the aisle.

Mr. TREADWAY. I am delighted that the gentleman from Mississippi is eager to hear what I am saying.

Mr. RANKIN. The gentleman may say something directly, and if he does I should like to hear it.

Mr. TREADWAY. Of course, I am not to blame that the gentleman's skull is so impenetrable that it cannot be penetrated by facts and proof.

Mr. BENDER. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Ohio.

Mr. BENDER. The gentleman is making a fine statement and is saying a mouthful. I am sure some of our friends on the other side do not like to hear what is going into the RECORD and going to the people, who are getting some idea of why conditions are as bad as they are all over this country.

Mr. TREADWAY. I thank the gentleman for his statement.

As I previously stated, the gentleman from Massachusetts [Mr. MARTIN] in his program suggests an investigation of the trade treaties and their effects by a congressional committee. I have today introduced a concurrent resolution setting up a joint committee of 10 Members of the House and Senate to carry on such an investigation. Under the terms of my resolution there would be three Members of the majority and two of the minority representing each branch.

The committee would be directed to make a full and complete study of the trade treaties and their economic effect upon domestic agriculture, labor, and industry. It would be authorized to go into such other matters in connection therewith as to at least four members of the committee may seem relevant and advisable.

The authority conferred by the resolution would expire January 3, 1940, when the committee would be expected to make a report of its findings, together with such recommendations for amendatory legislation as it might see fit to make. Of course, I do not know what the attitude of the administration would be toward such an investigation, but if it has nothing to hide it should welcome the inquiry. [Applause.]

I make this statement with the full expectation that it will be criticized, but we are entitled in this body to the information, and if the executive branch of the Government has no reason to conceal things in connection with these treaties, they ought to welcome the investigation which my resolution proposes.

I believe that there are many Members on the Democratic side who would like to see such an investigation made. It is the duty and responsibility of the Congress to find out what is being done under the treaty program.

Mr. SANDAGER. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Rhode Island.

Mr. SANDAGER. I may say to the gentleman from Massachusetts that he might find out something about it if he would read some of the foreign newspapers. A newspaper from Calais, for instance, tells about the tremendous increase in their lace trade.

Mr. TREADWAY. To the detriment of the lace manufacturers in the gentleman's State.

Mr. SANDAGER. Eighty percent of their increased exports are to the United States.

Mr. TREADWAY. Mr. Speaker, the Congress owes it to itself as well as to the people to find out the real facts. The inquiry should not be a partisan one, and it should not be a whitewashing proposition. Ample opportunity should be given to all groups affected by the treaty program to come before the committee and present their views.

Mr. HOUSTON. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman.

Mr. HOUSTON. The gentleman has expressed himself as being opposed to the trade agreements.

Mr. TREADWAY. Very strenuously, from the day they were first suggested to the Congress, and I do not hesitate to say so.

Mr. HOUSTON. Will the gentleman tell us what the trade balance is at the present time, and in whose favor it is, and what it was when the present administration came into power?

Mr. TREADWAY. Well, how about the indebtedness that has been piled up under this administration?

Mr. HOUSTON. We are not talking about the N. R. A. or the indebtedness, but the trade treaties.

Mr. KNUTSON. Would it be proper for the gentleman to ask the gentleman from Kansas whether he wishes the item of munitions to be included?

Mr. HOUSTON. If we are going to talk about the C. C. C. camps or the organizations of that sort, that is another matter; but why not answer my question?

Mr. KNUTSON. Does the gentleman mean to include also the scrap iron shipped to Japan?

Mr. HOUSTON. I want to know what the trade balance is.

Mr. TREADWAY. I may say to the gentleman that the gentleman from Pennsylvania [Mr. RICH] provides a lot of information along that line for the benefit of the House almost daily, and if he were present I am sure he could inform the gentleman, because the gentleman from Pennsylvania is always interested in how we are going to get the money to pay the bills that are being run up.

Mr. SANDAGER. Mr. Speaker, will the gentleman yield further?

Mr. TREADWAY. I yield.

Mr. SANDAGER. Is it not a fact that after we started to plow cotton under, and corn and so on, that we had to import some of those raw commodities for our own people?

Mr. TREADWAY. That is the object of the plowing up process and the object of the trade treaties, to bring goods into this country in competition with the products of New England and the entire United States, including even the South.

Mr. CRAWFORD. If the gentleman from Massachusetts will permit, I may say to my friend from Kansas that we do not need to be in doubt about these figures at all. Within the last 48 hours I have obtained them from the Department of Commerce. They release such figures every month, and I may say that I was startled when I read the last report that came to my desk yesterday morning showing the decline of the countries operating under reciprocal-trade treaties.

Mr. HOUSTON. Was not the balance favorable to the United States by about $1,000,000,000?

[Here the gavel fell.]

Mr. TREADWAY. But not because of increased exports. Rather, exports declined last year over 1937, but imports declined to an even greater extent.

Mr. Speaker, I ask unanimous consent to extend my remarks and to include as a part of them a copy of the concurrent resolution to which I have referred and which I am now introducing.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The resolution referred to is as follows:

House Concurrent Resolution 20

Resolved by the House of Representatives (the Senate concurring), That there is hereby established a Joint Committee on Trade Agreements (hereinafter referred to as the committee), to be composed of 10 members as follows:

(1) Five members who are members of the Committee on Finance of the Senate, three from the majority and two from the minority party, to be appointed by the President of the Senate; and

(2) Five members who are members of the Committee on Ways and Means of the House of Representatives, three from the majority and two from the minority party, to be appointed by the Speaker of the House of Representatives.

SEC. 2. It shall be the duty of the committee—

(a) To make a full and complete study and investigation of the trade agreements entered into under the authority of the Reciprocal Tariff Act of 1934, as amended, with a view to determining (1) the economic effect of such trade agreements upon domestic agriculture, labor, and industry, and (2) such other matters in connection therewith as in the opinion of at least four members of the committee seem pertinent thereto.

(b) To report to the Congress not later than January 3, 1940, the result of its investigation, together with such recommendations for amendatory legislation as it shall see fit to make.

SEC. 3 (a) The committee shall meet and organize as soon as practicable after at least a majority of the members representing each branch of Congress shall have been appointed, and shall elect a chairman and a vice chairman from among its members, and shall have power to appoint and fix the compensation of a secretary and such experts and clerical, stenographic, and other assistants as it deems advisable. A vacancy on the committee shall not affect the power of the remaining members to execute the functions of the committee, and shall be filled in the same manner as the original selection.

(b) The committee is authorized to hold hearings and to sit and act at such places and times, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to have such printing and binding done, and to make such expenditures, as it deems advisable. The cost of stenographic services in reporting such hearings shall not be in excess of 25 cents per hundred words. Subpenas for witnesses shall be issued under the signature of the chairman or vice chairman.

(c) The committee is authorized to utilize the services, information, facilities, and personnel of the departments and agencies in the executive branch of the Government.

(d) The members of the committee shall serve without compensation for such service, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the committee.

(e) The expenses of the committee shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the chairman or vice chairman.

(f) All authority conferred by this resolution shall expire on January 3, 1940.

EXTENSION OF REMARKS

Mr. IGLESIAS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. TABER. Mr. Speaker, I ask unanimous consent that after the conclusion of the special orders for today, I may be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Under special order, previously made, the Chair recognizes the gentleman from Massachusetts [Mr. CONNERY] for 15 minutes.

RADIO

Mr. CONNERY. Mr. Speaker, 2 weeks ago I called the attention of the House to the problem child of this administration, the Federal Communications Commission.

One of the outstanding necessities of our day, to my mind, is the elimination of monopolies. The Congress of the United States, by an almost unanimous vote at the last session, created a committee to investigate monopolies. During the past few weeks we have appropriated an additional sum of $600,000 to investigate monopolies. Yet there is no indication, so far as I can see, that the congressional Monopoly Investigating Committee has as yet recognized the fact that we have a problem child on our hands, namely, a radio monopoly with power and influence comparable to any monopoly which ever existed within our land.

It comes with poor grace for the Congress of the United States to preach that we are opposed to monopolies when we continue to permit a governmental agency, created and maintained through funds appropriated by the Congress, and the members of that agency, the Federal Communications Commission, who are representatives of the Congress, to create and sanction the continuance of the monopoly now existing in radio.

Radio grants or licenses are issued by the Federal Communications Commission with the limitation written into the law by the Congress that such licenses or grants shall be issued only when public interest, convenience, and necessity are served.

Surely, when those who hold such grants enter into contracts covering control of their facilities for periods in excess of the time for which the license is authorized by the Commission, whereby under such contracts control of the time of such station is granted or possessed by others located many miles away, it precludes the possibility of such radio station serving public interest, convenience, and necessity.

Some may say we have a Commission which, acting for the Congress of the United States under the powers delegated to it by the Congress, should and does prevent anyone other than the licensee operating the station. But I believe it would be fairer to say that were those controlling the Federal Communications Commission in reality representing the Congress of the United States or the people of the United States, or were these Commissioners free to act as their oath of office calls for, the complaints which I have just made would not exist.

However, facts are hard to get away from, and I venture to say to the Congress of the United States that when the Congress finally decides to have the long-needed congres-

sional investigation of the Federal Communications Commission and the radio monopoly they will find, first, that the two monopolistic networks now in reality control some 350 radio stations; second, that through this control, because of these illegal contracts which they hold, in many cases all of the time of such affiliated stations is being used for such purposes as the network alone sees fit; and, third, it is the network stations which receive the vast profits in radio from radio advertising.

The Communications Act of 1934 and the regulations issued under such act specifically provide that a grantee shall not turn over control of a radio station to another without the written approval of the Federal Communications Commission.

The records of this problem child fail to show wherein the Federal Communications Commission has granted such written approval.

Yet the Federal Communications Commission knows officially that the contracts which the radio stations affiliated with the networks are forced to sign actually do turn over the control of time and programs of affiliated radio stations to such use as the radio monopolists see fit to put them to.

It is my understanding that there are many, many stations which today not only have assigned all of their time to the monopolistic networks but even of the radio time they have retained for themselves on the network stations. Their records will show that only some 5 percent of the time of these stations is used for broadcasting matters of interest to the community in which the radio station is located.

Despite these flagrant violations of law and open evasion of the regulations of the Federal Communications Commission, we find the members of the Federal Communications Commission apparently dumb or blind to what their own records reveal.

There are many additional complaints that can be made of the apparent malfeasance in office of those who control this Commission. There are many abuses which the Congress will sooner or later have to investigate.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. CONNERY. Yes.

Mr. MICHENER. The gentleman speaks of controlling the Commission. Who does control the Commission?

Mr. CONNERY. If the gentleman will refer back to the charges made during the last session of Congress before the Committee on Rules, when a resolution similar to the one which is now before the House, calling for an investigation of radio monopoly, was brought before that committee, together with the charges made there, it will be made clear to the gentleman.

Mr. MICHENER. I am in sympathy with the gentleman.

Mr. CONNERY. I thank the gentleman.

Mr. MICHENER. But I am rather surprised that he should state that this Commission is controlled by somebody, and by such control is prevented from doing its duty.

Mr. CONNERY. I think if the gentleman will permit me to proceed, he will find that I shall go into that more fully as I go on, and the facts I will disclose will cover the matter that the gentleman has in mind.

Mr. HOUSTON. Mr. Speaker, will the gentleman yield?

Mr. CONNERY. Yes. I am pleased to yield to my friend from Kansas.

Mr. HOUSTON. What has been done with the Communications Commission to clean house?

Mr. CONNERY. Oh, the Communications Commission has gone through the movements of conducting a so-called investigation, but that has been going on for several months, and, of course, it will end in the usual whitewash, for how can the Commission sincerely and honestly investigate itself?

Mr. HOUSTON. The gentleman recalls that in the last independent offices appropriation bill the appropriation for that Commission was dispensed with entirely?

Mr. CONNERY. That is correct.

Mr. HOUSTON. Until they got through their housecleaning.

Mr. CONNERY. Yes.

Mr. HOUSTON. I am on that subcommittee, and I have never been called in to consider the appropriation for 1940.

Mr. CONNERY. Does not that action by the Appropriations Committee in itself show lack of confidence in that Commission?

Mr. HOUSTON. Yes.

Mr. PATRICK. Is not that suspension now in existence?

Mr. CONNERY. Does the gentleman mean this appropriation we have just been talking about?

Mr. PATRICK. Yes.

Mr. CONNERY. Nothing has been done about that. There has been no appropriation made by the Congress so far for the coming year. The Committee on Appropriations, when considering appropriations for all the independent agencies for the coming year in the independent offices appropriation bill, refused to take any action. Not one cent has been appropriated for the Federal Communications Commission for 1939–40 for the year starting July 1, 1939.

Mr. HOUSTON. Oh, the gentleman from Alabama seems to be confused about the appropriation. The appropriation to which I referred does not take effect until the fiscal year 1940.

Mr. CONNERY. No action has been taken either by the Committee or the House as yet with reference to the appropriation for the Federal Communications Commission for the fiscal year beginning July 1, 1939, and that in itself to me shows the great contempt in which the Federal Communications Commission is held by the Committee and by the House, if not by the entire Congress, especially in view of the fact that not one complaint was made and not one voice was raised on the floor regarding the failure of the Committee to make that appropriation.

Mr. HOUSTON. I am very much in favor of the gentleman's resolution for a thorough investigation. In my district we have a situation where for 20 months they have been considering a matter. One faction wants to move a radio station into another community, and neither the opposition nor the proponents can find out anything of what has been going on down here, and almost 2 years have elapsed from the time they made the application.

Mr. CONNERY. The gentleman is just stating another case. Similar complaints are almost innumerable.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. CONNERY. I do hope the gentleman will permit me to get on. I have very little time.

Mr. MICHENER. I hope this investigation will develop why Boake Carter was taken off the air.

Mr. CONNERY. Of course, I say frankly that I do not believe in censorship, but I do believe that a broadcaster given the privilege and the sole privilege of operating in a particular district should not himself be permitted to have his own views and editorial policies expressed over his station either by himself or through somebody subservient to him. I believe that is what the gentleman is hitting at.

It will interest the Members of the House to know that an important radio network recently so conducted its news and editorial policies, during a city election, that a very important Democratic newspaper, the Boston Post, editorially referred to the tactics used by these radio stations as the "hatchet men of the air."

Yet no action has been taken by the Federal Communications Commission, despite sworn charges that the stations referred to had contravened the law.

Incidentally, I want to say in answer to the question asked earlier by the gentleman from Michigan [Mr. MICHENER] in case I do not have an opportunity to reply to him later, what I was really hitting at was that the Federal Communications Commission, to all intents and purposes, evidently is controlled by the big monopolistic owners of these radio chains. That is your answer right there. These conditions would not exist if that were not so.

I say with all sincerity, Mr. Speaker, that the sooner we investigate this radio problem the less corruption we will be confronted with later, because corruption having existed in

this agency, I understand, since the early days of the control of radio by the Department of Commerce, it has grown like Banquo's ghost.

Records on file at the Federal Communications Commission will show that one of the dominant networks has, in its report to the Federal Communications Commission, openly charged off an average of $300,000 as an expenditure it made in acquiring the grants which they possess, or a total of about two and one-half millions of dollars.

Yet the Government receives nothing in the form of license fees for these invaluable franchises or grants from which a few had been enriched to the tune of many millions of dollars.

Mr. Speaker, there are today many indications of the gross mismanagement and abuse of trust on the part of those entrusted with control of large business enterprises. The CONGRESSIONAL RECORD contains innumerable indictments of the mismanagement and the misuse of the funds of the radio monopoly. As to the influence of those who own these companies in contrast with the influence of those who manage these companies, the next stockholders' meeting of the radio monopolists should indicate whether or not additional legislation is necessary in order to properly protect the interests of the many thousands of small investors.

To my mind and from what the CONGRESSIONAL RECORD shows, it may be necessary that we enact legislation wherein the small investors may or the Government shall delegate from the lists of such investors representatives to participate in the management and protection of these enterprises.

In the case of radio I can cite to you several cases where men occupy large influence in the management of these companies and yet have nothing invested in the stock of the companies in which they have a powerful voice.

The Columbia Broadcasting System, according to the CONGRESSIONAL RECORD and from data furnished by the Securities and Exchange Commission, invested a total of some $1,600,000 in cash and now possesses a property which, when listed on the New York Stock Exchange some months ago, I understand, had a value, according to such listing, of some $60,000,000.

In addition the records of the Federal Communications Commission, as the pages of the CONGRESSIONAL RECORD will show, reveal innumerable instances wherein prices of from 10 to 20 times the value of the physical assets were paid in the transfer of one license or grant from one to another.

Another instance well worth consideration of the Congress is the sale of station KNX, with a physical valuation of something less than $200,000, acquired by the Columbia Broadcasting System for a price approved by the Federal Communications Commission of $1,250,000.

An outstanding instance of trafficking in radio licenses with the approval of the Commission is one concerning a property wherein it was specifically stated that the physical assets were to be junked, leaving nothing but the franchise to be sold, was sold for some $85,000.

An investigation of these transactions, to my mind, is well worth consideration of the Income Tax Division of the Treasury Department.

Mr. MASSINGALE. Mr. Speaker, will the gentleman yield for a question?

Mr. CONNERY. I yield for a brief question.

Mr. MASSINGALE. I am not too familiar with this radio complication that the gentleman is talking about, but I just wanted to ask the gentleman if he has heard—and it is only rumor with me—of a recent entertainment that took place in some "hot spot" in New York City, where members of the Federal Communications Commission were present. They got into a drunken brawl, and in the brawl some woman was hurt—her arm twisted. I do not know whether it was the licensees who were giving the entertainment or whether it was members of the Federal Communications Commission, or who it was. I wanted to ask the gentleman if he knew about that?

Mr. CONNERY. I will say to the gentleman that I had heard that report; but not having verification, I did not intend to say anything about it.

[Here the gavel fell.]

Mr. MASSINGALE. Mr. Speaker, I ask unanimous consent that the gentleman be given 5 additional minutes.

The SPEAKER pro tempore (Mr. ROMJUE). Is there objection?

There was no objection.

Mr. MASSINGALE. My further observation was simply going to be this: I am not interested in the Federal Communications Commission. I have nothing against them and do not know much about what has been going on; but it just occurs to me as an ordinary citizen, disconnected with my membership in Congress, that no real investigation of good can be had by sending out men of that type to investigate a monopoly in the radio business or any other commission in this Government of ours.

Mr. CONNERY. If the report which the gentleman mentions is true, and I will admit that I heard that rumor, I heartily agree with the gentleman.

Mr. MASSINGALE. Does not the gentleman think that rumor ought to be followed up and an inquiry made to see whether or not it is true?

Mr. CONNERY. Absolutely. And I think probably some of these things, if true, would be brought out by a congressional investigation. If you will remember, I took the floor of the House last year and protested that the projected investigation of radio by the Federal Communications Commission itself was absolutely ridiculous. In other words, Congress was giving to the Federal Communications Commission, to an agency of the Government, the privilege of investigating themselves. What could that result in but a whitewash? Furthermore, the gentleman will remember that on the day the monopoly-investigating resolution was brought into this House we were told, in answer to a question which was asked on that day, that this monopoly-investigating committee would cover the subject of radio. But, to the best of my knowledge, to date it has not even mentioned the subject, let alone look into it.

Mr. MASSINGALE. I am sure the gentleman will agree with me; it would be similar, exactly, to an investigation of the Seventy-sixth Congress by appointing such men as the gentleman and myself and others to do the investigating of that Congress.

Mr. CONNERY. The gentleman is exactly right.

Mr. MASSINGALE. I think it is a serious matter and ought not be tolerated.

Mr. CONNERY. I thank the gentleman for his contribution.

Mr. Speaker, if I may go on and take advantage of the few minutes remaining, I would like to do so. I hope I am not holding up the gentleman from New York [Mr. TABER] too long.

I would like at this time to explore for the benefit of the Members of the House some of the many abuses of the Communications Act and the regulatory provisions of the Federal Communications Commission which have been permitted by the Commission in order that a few might profit at the expense of the many.

A few years ago some of the advertising element prevailed upon the Commission to issue a new form of license or grant for the use of so-called booster stations. A booster station is a grant in another community to a grantee already owning a radio station. A booster station is nothing but a series of wires and an amplifier transmitting the radio broadcasts from the mother station. The booster station provides practically no employment for those in the community wherein it is located. It does, however, succeed in diverting the advertising of that community from the local newspapers to these alleged radio stations.

The cost of operation of these booster stations is practically nil, and yet they serve the purpose of destroying the opportunities for expansion of newspapers owned by those who have invested their all in trying to properly represent and to reflect the views of their community.

In addition, these booster stations eliminate possibilities of employment in the publication of the newspapers with whom they most unfairly compete locally.

As an illustration of the unfair competition of the booster grants I have in mind, I cite such a booster station in my own

congressional district where those not residing in the district, having little or no community interest in the district, and by methods and means the less said about the better, have acquired a booster station wholly and solely for the purpose of dollar profits and apparently with no thought of serving local public interest, convenience, and necessity.

This condition I complain of is not confined alone to my district. It exists in many other communities throughout the country to the detriment of those who seek to serve public interest, convenience, and necessity, and who provide jobs for the residents of those communities.

Like many other very apparent irregularities which exist through the connivance and incompetency of the Federal Communications Commission, it is my understanding that these booster-station grants were issued originally on the theory of experimentation—experimentation, however, with the grantees permitted to exploit the field covered and to most unfairly compete commercially with those who were dependent upon local advertising for their support.

Some may ask if conditions at the Federal Communications Commission have not improved in the past year, and my answer is unreservedly "No." It is common knowledge to the Members of the House, and a short time ago they indicated that knowledge that something was rotten when they declined to appropriate any money in the regular appropriation bill for the continued maintenance of this alleged governmental agency.

Some have asked, "Why is it that the Chairman of the Commission seems so friendly to the monopolist networks?" and, of course, I have no personal knowledge of the relationship which exists between the representatives of the monopolistic networks and the Chairman and other members of the Commission. But it might be of interest for the Members of the House to read the news story appearing in the February 15 issue of the Washington Times-Herald, which news story brings out the fact that down in North Carolina, the home of Chairman McNinch, a life-insurance company held a radio franchise or grant.

I learn from this news story that this life-insurance company sought to improve its ability to serve the local community. It asked the Federal Communications Commission for the privilege of broadcasting more hours during the day. However, under the rules of the Commission, the National Broadcasting Co. was privileged to and did oppose this company securing additional hours to broadcast during the day.

It is my understanding from this story that station WPTF, owned by the Durham Life Insurance Co., found it necessary to secure the consent of the National Broadcasting Co. before it could be privileged by the Federal Communications Commission to broadcast longer hours. To secure the consent of the National Broadcasting Co., I understand, it was forced to give an option to the National Broadcasting Co. for the sale of its entire radio facilities, this option to be exercised at the will of the National Broadcasting Co.

For some 2 or 3 years I understand this option lay dormant. Reading between the lines of this story, I take it that some bright mind in the radio monopoly possibly decided to curry favor with the Chairman of the Commission, and they have exercised their option to buy this radio station over the protest of the present owners of the station.

The National Broadcasting Co. has brazenly and publicly admitted, according to this news story, that in the exercising of this option it intended to turn the operation over to, or at least have the license of this radio station in the name of, persons in North Carolina who are, in this story, referred to as close political allies of the Chairman of the Federal Communications Commission.

I question whether any person has any doubt but that such action will have, or should have, a tendency to influence the official acts of one entrusted with the regulation of communications, and surely the regulation of what in common knowledge is now a radio monopoly.

When the present Chairman of the Federal Communications Commission took office, with public knowledge that he was sent there to clean up the existing mess, he publicly stated that thereafter the affairs of the Commission would be conducted openly, comparable to well known glass bowl. The public's business would in reality be public. Yet it is my understanding that more secrecy surrounds their actions, except to the privileged few, than ever before; that more executive sessions have been held and less accomplished than ever before; that access to public records is virtually denied to everyone other than those who represent the radio monopolists.

One might well say that hypocrisy again prevails when one considers the Chairman's public utterances and compares such utterances with what is actually happening.

Mr. Speaker, permit me to say that a congressional investigation of the Federal Communications Commission and the radio monopoly will show that the Communications Act of 1934 is openly, flagrantly, and continually violated without any action or restraint on the part of the Federal Communications Commission. The law specifically requires the Commission to find that the licensee or grantee shall serve public interest, convenience, and necessity. Naturally those network officials residing in New York City, with no knowledge or interest in what constitutes public interest, convenience, and necessity in thousands of our communities throughout the United States, cannot know let alone serve as the Congress intended public interest, convenience, and necessity.

Mr. Speaker, many Members of the House seemingly overlook the interest which the American listening public has in the proper regulation of radio broadcasting. It is my understanding that official records reveal that Mr. John Q. Public has invested more than $2,000,000,000 in radio receiving sets while the total investment of radio broadcasters in 629 stations is less than $50,000,000.

With this investment of $50,000,000 plus possession of these invaluable grants from the Government, for which they pay nothing to the Government, their reported net profits last year, after paying all taxes, were some $18,000,000.

Surely, Mr. Speaker, with the radio monopoly about to unload upon an unsuspecting public television sets the value of which at this time, according to the newspapers, competent radio engineers question, is it not about time that the Congress, acting in the public interest, insisted upon a congressional investigation of the entire radio subject?

It will interest the Members of the House to know that in support of the charges I and others have laid before the House requesting a congressional investigation of this radio problem, a former general counsel of the Commission only recently placed before the Federal Communications Commission a request that an injunction be issued restraining the networks and their affiliated stations from a continuation of present contracts which are contrary to public interest.

In closing, Mr. Speaker, I sincerely trust that the Rules Committee, having in mind the many existing serious and undenied charges pertaining to the flagrant violations of law in connection with the administration, regulation, and operation of radio, will see fit to report the resolution which I have introduced calling for a congressional investigation of the radio problem, thereby giving to the Members of this House the opportunity to vote on this important measure. [Applause.]

[Here the gavel fell.]

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. JONES] is recognized for 20 minutes.

Mr. RANKIN. Mr. Speaker, on behalf of the gentleman from Texas [Mr. JONES], I ask unanimous consent that on tomorrow, after the disposition of matters on the Speaker's table and the legislative program and other special orders, he may address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a statement by Albert J. Hutzler on the results of the reciprocal-trade agreements for 1938.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The SPEAKER pro tempore. Under special order, the gentleman from New York [Mr. TABER] is recognized for 10 minutes.

GOVERNMENT REORGANIZATION

Mr. TABER. Mr. Speaker, I have introduced in the House Concurrent Resolution No. 19, providing that the House does not favor the reorganization plan submitted by the President on yesterday.

The outstanding features of that proposal, to my mind, are these: There is a transfer to the Executive Office—that is, to the President's Office—of the Bureau of the Budget. This, to my mind, is proper. There is a transfer to the Executive Office of the Central Statistical Board, which is about to expire and will require renewal. It has been a complete failure in attempting to coordinate the statistical efforts of the Government. That is bad. There is also transferred to the Executive Office the National Resources Committee, which is about to expire and which has no legislative authority beyond a few months. The idea there begins of the Executive Office transferring activities that are about to expire and which have no permanence in with activities which are of a permanent character.

In the next set-up, the Federal Security Agency, in part II, certain regular activities of the Government, such as the United States Employment Service in the Department of Labor, the Office of Education in the Interior Department, the Public Health Service in the Treasury Department, and the Social Security Board, are the permanent activities which are transferred. Temporary activities, the N. Y. A. and the C. C. C., are transferred. One of these activities, the C. C. C., has about a year to run. The N. Y. A. has less than 2 months to run, and, without legislative action, will expire prior to the expiration of the 60 days which must elapse before such reorganization program can take effect.

The merging of relief activities with regular activities is absolutely ridiculous. It is demoralizing in every way. It will bring the level of the administration of permanent activities down to the level of those temporary relief activities which have been going on and which have been such a disgrace to the American Government for so long.

The third set-up is that of the Federal works agency, and here a new set-up is created having charge of regular activities consisting of the Bureau of Public Roads, the Public Buildings Branch of the Procurement Division, the Public Buildings Management Branch of the National Park Service; and with these are set up relief activities as follows: The W. P. A., the P. W. A., and the United States Housing Authority. W. P. A. will expire on the 30th of June. P. W. A. has already expired, except for carrying out things that were entered into prior to the 1st of January. The Housing Authority has already practically used up all of its authority to grant funds. The union of these activities in a works agency just means that our Bureau of Roads, our Procurement Division, and the Public Buildings Branch of the Park Service will be demoralized in efficiency of operation down to the level of the W. P. A., the P. W. A., and the Housing Authority. This is a serious thing, it is a demoralizing thing—it is something that absolutely should not be done.

Another feature is that the setting up of these things in what is a reorganization indicates an attempt at concentrated propaganda for the extension of those agencies so that something other than the merit of those agencies shall be used in the efforts that are made to extend them. I hope the membership of this House will give this thing careful study, and that when an opportunity to vote on it comes they will have in mind the destructive features of it, particularly so that they will not be led astray.

Someone has said that criticism of this kind of measure was not proper because that set-up in a reorganization plan could not under the reorganization bill extend the authority which these agencies already had. This, of course, is true; but it does not answer the criticism that the setting up of relief activities with permanent agencies of the Government is absolutely demoralizing and destructive to any kind of morale in any organization of the Government.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. CRAWFORD. It seems to me that it is just as demoralizing for the Chief Executive to bring a function of the Government which expires, say, within 30 days into a permanent function of the Government; in other words, thus attempting to coerce or dominate the legislative branch is continuing that expiring function at the end of the 60 days.

Mr. TABER. That is demoralizing; there is no question about it; decidedly demoralizing.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield further?

Mr. TABER. I yield.

Mr. CRAWFORD. Let us assume that a given activity is operated by a board—take the R. F. C., for instance, or the Home Loan Bank Board. The situation developed in one of our committees. After the board or the agency that is merged is brought under the influence of an administrator in charge of the new set-up and the administrator overrules the decision of the board that is in charge of those functions of government, wherein is the general welfare assisted? Is not the board put in a position where it may speak, may set forth its position, but, as a matter of fact, it cannot act contrary to the administrator?

Mr. TABER. There are two matters in connection with the lending situation that are very bad. The Federal loan agency is set up, and under this are placed the R. F. C., the Electric Farm and Home Authority, and half a dozen other lending agencies. Then in what seems to me to be an absolutely ridiculous way the two items that the gentleman from Michigan has just referred to—only I shall name them—the Federal Home Loan Bank Board and the Federal Savings and Loan Insurance Corporation, are thrown under that agency.

[Here the gavel fell.]

Mr. TABER. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. The Federal Home Loan Bank Board is made up of representatives of the savings and loan associations, and their expense is covered in the most part by the savings and loan institutions themselves, just as the Federal Reserve bank is supported by the national banks and the member banks.

That, to my mind, should not be interfered with by a Federal lending agency. It should be permitted to represent those institutions and look after those institutions as it has in the few years of its existence. I do not feel that the Federal Savings and Loan Insurance Corporation should be under such lending agency. It seems to me an absolutely ridiculous and incongruous set-up and should not be there.

Mr. Speaker, I have called attention to the ridiculous character of some of these set-ups. I wish to call attention to one other thing.

This is an attempt to coerce and force the Congress to continue those agencies which are about to expire. The cost of continuing them—and, as I stated, many of them are ridiculous and should not be continued—will run anywhere from two to four billion dollars a year, and that $4,000,000,000 extra spending is about all the economy that is involved in the reorganization proposal.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. TABER. Yes; I yield to the Speaker.

Mr. BANKHEAD. The gentleman complains that the law authorizing the Civilian Conservation Corps will soon expire unless renewed.

Mr. TABER. It has a little over a year to run, as I remember. I have not the exact date of its expiration.

Mr. BANKHEAD. Would the gentleman from New York vote for a bill today or tomorrow to end the activities of the Civilian Conservation Corps?

Mr. TABER. I would. I have always voted against that activity and against its continuance.

Mr. BANKHEAD. The gentleman would abolish the National Youth Administration?

Mr. TABER. I would. It is a terribly demoralizing outfit.

Mr. BANKHEAD. Does not the gentleman recognize, despite his argument about the effort that is being made, that in the ultimate the Congress of the United States has the right either to continue or abolish these agencies, and is it not, in the last analysis, a legislative and not an executive function about which the gentleman complains?

Mr. TABER. It is a legislative function. What I am complaining about is that the Executive is setting up in a reorganization plan and grouping in a certain way activities that at the present time have no legislative authority for their continuance at the time that the reorganization plan may become effective.

Mr. BANKHEAD. Will the gentleman yield for another question?

Mr. TABER. Yes.

Mr. BANKHEAD. Will the gentleman not be candid enough to admit that the functions of those agencies about which he complains being incorporated in this consolidation expire at a certain time, unless renewed by the Congress of the United States, and unless such renewal takes place, is it not a matter entirely beyond Executive discretion?

Mr. TABER. It is such a matter; but the fact they are grouped in advance of an extension of authorization by the Congress is going to be used as an argument to force the Congress to abdicate its legislative functions and its integrity in order to pass laws extending these activities.

Mr. RANKIN. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Mississippi.

Mr. RANKIN. Did I understand the gentleman to say he would vote to terminate the Electric Home and Farm Authority?

Mr. TABER. I did not mention the Electric Home and Farm Authority. I believe I would, though.

Mr. RANKIN. The gentleman would vote to terminate that agency?

Mr. TABER. I think I would.

Mr. MICHENER. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Michigan.

Mr. MICHENER. I take it the gentleman's complaint is that the President should not propose to the Congress efficiency and economy in any plan of reorganization by including in that plan emergency agencies which we were assured by the President when they were enacted were emergency agencies only and which the Congress has not as yet had opportunity to determine whether or not the conduct of the agencies warrant their continuance?

Mr. TABER. That is exactly one of my arguments.

Mr. MICHENER. The Speaker of the House indicated very clearly——

Mr. BANKHEAD. The Representative from the Seventh District of Alabama.

Mr. MICHENER. The Speaker of the House, exercising his right as the Representative from the Seventh District of Alabama, indicated very clearly to the House that it was the purpose of the administration to make permanent these temporary agencies which he designated. That being the case, then we have a right to expect and should proceed with consideration on the theory that the administration is going to ask that these unusual emergency agencies, operating under emergency power, shall be made permanent. Am I right?

Mr. BANKHEAD. Will the gentleman from New York allow me to reply to the suggestion of the gentleman from Michigan?

Mr. TABER. I think the gentleman is entitled to that privilege.

Mr. BANKHEAD. The gentleman from Michigan has a great sense of imagination, which I have seen him often display upon the floor of the House. He has added to that quality this afternoon by undertaking to construe in the remarks I made, and in my inquiry of the gentleman from New York, an assertion upon my part that I now favored making the C. C. C. a permanent institution. On the contrary, I do not favor making it a permanent institution until we are satisfied that by temporary extension its usefulness has expired. I do not resent the imagination of the gentleman from Michigan, but I do deplore his undertaking to read into my statement conclusions which were not justified by the words which I uttered.

Mr. MICHENER. I apologize to the gentleman from Alabama if I have misinterpreted his meaning, and I am glad that he agrees with the gentleman from New York.

Mr. BANKHEAD. The Representative of the Seventh District of Alabama accepts the apology, and in no sense agrees with the gentleman from New York.

Mr. MICHENER. I am glad the gentleman from Alabama now understands what I said, and it would be unusual, indeed, if the gentleman from Alabama did agree with the gentleman from New York.

[Here the gavel fell.]

Mr. TABER. Mr. Speaker, I ask unanimous consent to proceed for 3 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. In connection with the message that was sent here by the Chief Executive in connection with the proposal of reorganization, I do not believe it amiss to call attention at this time to one paragraph of the message. You will recall that the so-called reorganization bill passed a month or so ago prohibited interference with the Civil Service Commission in any reorganization plan. May I call attention to this paragraph:

> Because of an exemption in the act, it is impossible to transfer to the Executive Office the administration of the third managerial function of the Government—that of personnel. However, I desire to inform the Congress that it is my purpose to name one of the administrative assistants to the President, authorized in the Reorganization Act of 1939, to serve as liaison agent of the White House on personnel management.

I do not know what that means. I gather that it means there is to be an attempt to control the personnel system directly from the White House office, either through the personnel divisions in the different departments and agencies or through the Civil Service Commission. I do want to call attention to the fact that this seems to be absolutely contrary to what was the expressed will of the Congress when it excepted that Commission from the Reorganization Act.

[Here the gavel fell.]

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 527. An act for the relief of J. J. Greenleaf; to the Committee on Claims.

S. 765. An act for the relief of Hugh McGuire; to the Committee on Claims.

S. 920. An act conferring jurisdiction upon the United States District Court for the District of Montana to hear, determine, and render judgment upon the claim of the estate of Joseph Mihelich; to the Committee on Claims.

S. 927. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of Suncrest Orchards, Inc.; to the Committee on Claims.

S. 1092. An act for the relief of Sigvard C. Foro; to the Committee on Claims.

S. 1160. An act for the relief of Roland Hanson, a minor, and Dr. E. A. Julien; to the Committee on Claims.

S. 1372. An act for the relief of W. B. Tucker, Helen W. Tucker, Lonie Meadows, and Susie Meadows; to the Committee on Claims.

S. 1448. An act for the relief of Anna H. Rosa; to the Committee on Claims.

S. 1812. An act for the relief of A. E. Bostrom; to the Committee on Claims.

S. 2126. An act authorizing the Comptroller General of the United States to adjust and settle the claim of E. Devlin, Inc.; to the Committee on Claims.

S. J. Res. 11. Joint resolution directing the Comptroller General to readjust the account between the United States and the State of Vermont; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2061. An act for the relief of Ernest O. Robinette and others;

H. R. 2074. An act for the relief of Junius Alexander;

H. R. 2098. An act for the relief of Katherine Patterson;

H. R. 2320. An act to provide domiciliary care, medical, and hospital treatment, and burial benefits to certain veterans of the Spanish-American War, the Philippine Insurrection, and the Boxer Rebellion;

H. R. 3134. An act to amend the act entitled "An act authorizing the temporary detail of United States employees, possessing special qualifications, to governments of American republics and the Philippines, and for other purposes," approved May 25, 1938; and

H. R. 4630. An act making appropriations for the Military Establishment for the fiscal year ending June 30, 1940, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 2061. An act for the relief of Ernest O. Robinette and others;

H. R. 2074. An act for the relief of Junius Alexander;

H. R. 2098. An act for the relief of Katherine Patterson;

H. R. 2320. An act to provide domiciliary care, medical, and hospital treatment, and burial benefits to certain veterans of the Spanish-American War, the Philippine Insurrection, and the Boxer Rebellion;

H. R. 3134. An act to amend the act entitled "An act authorizing the temporary detail of United States employees, possessing special qualifications, to governments of American republics and the Philippines, and for other purposes," approved May 25, 1938; and

H. R. 4630. An act making appropriations for the Military Establishment for the fiscal year ending June 30, 1940, and for other purposes.

ADJOURNMENT

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, on last Monday I announced in this House the suicide of the Republican Party and suggested that the gentleman from Massachusetts [Mr. TREADWAY] was preparing a funeral oration which he would deliver probably sometime during the week. Having listened to that distinguished gentleman put on the finishing touch, I feel that the House should adjourn out of respect for the memory of that departed institution.

Therefore, Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 34 minutes p. m.) the House adjourned until tomorrow, Thursday, April 27, 1939, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON FOREIGN AFFAIRS

The Committee on Foreign Affairs will meet again Thursday, April 27, 1939, in the committee room, Capitol, for the purpose of continuing open hearings on the following bills and resolutions on the subject of neutrality: House Resolution 100, to prohibit the transfer, loan, or sale of arms or munitions (by Mrs. ROGERS of Massachusetts); House Joint Resolution 3, to prohibit the shipment of arms, ammunition, and implements of war from any place in the United States (by Mr. LUDLOW); House Joint Resolution 7, to implement the Kellogg-Briand Pact for World Peace (by Mr. GUYER of Kansas); House Joint Resolution 16, to prohibit the exportation of arms, ammunition, or implements or materials of war to any foreign country when the President finds a state of war to exist between or among two or more foreign states or between or among two or more opposing forces in the same foreign state (by Mr. KNUTSON); House Joint Resolution 42, providing for an embargo on scrap iron and pig iron under Public Resolution No. 27 of the Seventy-fifth Congress (by Mr. CRAWFORD); House Joint Resolution 44, to repeal the Neutrality Act (by Mr. FADDIS); House Joint Resolution 113, to prohibit the shipment of arms, ammunition, and implements of war from any place in the United States (by Mr. FISH); House Joint Resolution 226, to amend the Neutrality Act (by Mr. GEYER of California); House Joint Resolution 254, to keep the United States out of foreign wars, and to provide for the neutrality of the United States in the event of foreign wars (by Mr. FISH); House bill 79, to keep America out of war by repealing the so-called Neutrality Act of 1937 and by establishing and enforcing a policy of actual neutrality (by Mr. MAAS); House bill 163, to establish the neutrality of the United States (by Mr. LUDLOW); House bill 4232, to limit the traffic in war munitions, to promote peace, and for other purposes (by Mr. VOORHIS of California); House bill 5223, Peace Act of 1939 (by Mr. HENNINGS); House bill 5432, to prohibit the export of arms, ammunition, and implements and materials of war to Japan, to prohibit the transportation of arms, ammunition, implements, and materials of war by vessels of the United States for the use of Japan, to restrict travel by American citizens on Japanese ships, and otherwise to prevent private persons and corporations subject to the jurisdiction of the United States from rendering aid or support to the Japanese invasion of China (by Mr. COFFEE of Washington); House bill 5575, Peace Act of 1939 (by Mr. HENNINGS).

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce at 2 p. m. Thursday, April 27, 1939. Business to be considered: Hearing on S. 1302, petroleum shipments.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold public hearings in room 219, House Office Building, at 10 a. m., on the bills and dates listed below:

On Thursday, April 27, 1939, on H. R. 4983, to amend sections 712 and 902 of the Merchant Marine Act, 1936, as amended, relative to the requisitioning of vessels.

On Thursday, May 4, 1939, at 10 a. m., on H. R. 4650, making electricians licensed officers.

COMMITTEE ON ROADS

(Tuesday, May 2, 1939)

The Committee on Roads will hold public hearings on Tuesday, May 2, 1939, at 10 a. m., in the Roads Committee room, 1011 New House Office Building (ground floor), on the following acts and bills:

S. 1109 and H. R. 3522, to amend the act entitled "An act to aid the several States in making, or for having made, certain toll bridges on the system of Federal-aid highways free bridges, and for other purposes," by providing that funds available under such act may be used to match regular and secondary Federal-aid road funds.

S. 1985, to extend the time within which the States may cause toll bridges to be made free in order to qualify for aid under the act of August 14, 1937.

H. R. 4541, to provide for the completion of a part of the Lewis and Clark Highway between Kooskia, Idaho, and a point near Lolo, Mont.

COMMITTEE ON THE POST OFFICE AND POST ROADS

There will be a meeting of the Committee on the Post Office and Post Roads at 10 a. m. Tuesday, May 2, 1939, for the consideration of H. J. Res. 228, to declare certain papers and writings nonmailable.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m. Wednesday, May 3, and Thursday, May 4, 1939, on bills H. R. 3657, H. R. 5401, H. R. 5402, and H. R. 5403. These hearings will be public.

EXECUTIVE COMMUNICATIONS, ETC.

675. Under clause 2 of rule XXIV, a communication from the President of the United States, transmitting a supplemental estimate of appropriation and a proposed change in the text of the same appropriation for the Navy Department; this estimate involves an increase aggregating $31,621,000 in the estimates of appropriations for the Navy Department now contained in said Budget (H. Doc. No. 267), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. BLAND: Committee on Merchant Marine and Fisheries. H. R. 5129. A bill authorizing and providing for the construction of additional facilities on the Canal Zone for the purposes of more adequately providing for the defense of the Panama Canal and for increasing its capacity for the future needs of interoceanic shipping; without amendment (Rept. No. 494). Referred to the Committee of the Whole House on the state of the Union.

Mr. CELLER: Committee on the Judiciary. H. R. 2567. A bill to provide that records certified by the Court of Claims to the Supreme Court, in response to writs of certiorari, may include material portions of the evidence, and for other purposes; without amendment (Rept. No. 495). Referred to the House Calendar.

Mr. BLAND: Committee on Merchant Marine and Fisheries. H. R. 1819. A bill to amend section 92, title 2, of the Canal Zone Code, and for other purposes; with amendment (Rept. No. 496). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLMER: Committee on Rules. House Resolution 175. Resolution providing for the consideration of H. R. 5643; without amendment (Rept. No. 498). Referred to the House Calendar.

Mr. ELLIOTT: Committee on the Public Lands. H. R. 1790. A bill to authorize additions to the Sequoia National Forest, Calif., through exchanges under the act of March 20, 1922, or by proclamation or Executive order; without amendment (Rept. No. 499). Referred to the Committee of the Whole House on the state of the Union.

Mr. DIMOND: Committee on the Public Lands. H. R. 3695. A bill to validate settlement claims establshed on sections 16 and 36 within the area withdrawn for the Matanuska Settlement project in Alaska, and for other purposes; without amendment (Rept. No. 500). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 3959. A bill to authorize the Secretary of the Interior to dispose of recreational demonstration projects, and for other purposes; with amendment (Rept. No. 501). Referred to the Committee of the Whole House on the state of the Union.

Mr. O'CONNOR: Committee on the Public Lands. H. R. 4097. A bill to authorize the use of certain facilities of national parks and national monuments for elementary-school purposes; with amendment (Rept. No. 502). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLOOM: Committee on Foreign Affairs. H. R. 5835. A bill to authorize the President to render closer and more effective the relationship between the American Republics; with amendment (Rept. No. 508). Referred to the Committee of the Whole House on the state of the Union.

Mr. MANSFIELD: Committee on Rivers and Harbors. H. R. 3223. A bill for the completion of the construction of the Atlantic-Gulf Ship Canal across Florida; without amendment (Rept. No. 509). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. WINTER: Committee on Claims. H. R. 2478. A bill for the relief of the Wisconsin Milling Co. and Wisconsin Telephone Co.; with amendment (Rept. No. 503). Referred to the Committee of the Whole House.

Mr. POAGE: Committee on Claims. H. R. 3300. A bill for the relief of Grace Rouse; with amendment (Rept. No. 504). Referred to the Committee of the Whole House.

Mr. BLOOM: Committee on Foreign Affairs. H. R. 5933. A bill for the relief of Frances Virginia McCloud; without amendment (Rept. No. 505). Referred to the Committee of the Whole House.

Mr. BLOOM: Committee on Foreign Affairs. H. R. 5934. A bill for the relief of W. Elisabeth Beitz; without amendment (Rept. No. 506). Referred to the Committee of the Whole House.

Mr. BLOOM: Committee on Foreign Affairs. H. R. 5935. A bill for the relief of Charlotte J. Gilbert; without amendment (Rept. No. 507). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 4566) granting an increase of pension to Dora Probst, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. POWERS:

H. R. 6016. A bill to provide for the advancement in rank of certain officers of the United States Army upon retirement; to the Committee on Military Affairs.

By Mr. ANGELL:

H. R. 6017. A bill to authorize the disposal of the Portland, Oreg., old courthouse building; to the Committee on Public Buildings and Grounds.

By Mr. BURDICK:

H. R. 6018. A bill to amend Public Law No. 383, Seventy-third Congress (48 Stat. L. 984), relating to Indians, by exempting from the provisions of such act any Indian tribe within the Mission Indian Agency, Riverside, Calif.; to the Committee on Indian Affairs.

By Mr. HARTER of Ohio:

H. R. 6019. A bill to create a new group within the Air Corps, Regular Army, with the designations of junior flight officer, flight officer, and senior flight officer; to the Committee on Military Affairs.

By Mr. MOTT:

H. R. 6020. A bill authorizing an emergency appropriation for the protection of property on Bayocean Peninsula and in Tillamook, Oreg.; to the Committee on Rivers and Harbors.

By Mr. HARTER of Ohio:

H. R. 6021. A bill to repeal the minimum-price limitation on sale of the Akron, Ohio, old post-office building and site; to the Committee on Public Buildings and Grounds.

By Mr. BURDICK:

H. J. Res. 276. Joint resolution to remove a monument now standing at the right of the east entrance to the National Capitol, representing the American Indian; to the Committee on the Library.

By Mr. IZAC:

H. J. Res. 277. Joint resolution authorizing the President to invite foreign countries to participate in the San Diego-Cabrillo Quadri-Centennial Celebration, to be held in 1942; to the Committee on Foreign Affairs.

By Mr. MERRITT:

H. J. Res. 278. Joint resolution to authorize the appropriation of an additional sum of $851,111.59 for Federal participation in the New York World's Fair, 1939; to the Committee on Foreign Affairs.

By Mr. TABER:

H. Con. Res. 19. Concurrent resolution opposing the No. I plan for reorganization; to the Select Committee on Government Organization.

By Mr. TREADWAY:

H. Con. Res. 20. Concurrent resolution creating a temporary Joint Committee on Trade Agreements; to the Committee on Rules.

By Mr. FULMER:

H. Res. 176. Resolution requesting the Secretary of Agriculture to transmit to the House of Representatives the views and recommendations of the Department of Agriculture as to a suggested plan for cotton crop insurance; to the Committee on Agriculture.

By Mr. HESS:

H. Res. 177. Resolution requesting the Secretary of War to present a plan for the consolidation of Army posts, camps, and stations; to the Committee on Military Affairs.

By Mr. SWEENEY:

H. Res. 178. Resolution authorizing the Postmaster General to issue a commemorative stamp in honor of the one hundredth anniversary of the birth of Henry George; to the Committee on the Post Office and Post Roads.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their Assembly Joint Resolutions Nos. 18, 19, 20, 28, 29, and 36, with reference to flood control; to the Committee on Flood Control.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER:

H. R. 6022. A bill for the relief of Florence May Hauskins; to the Committee on Claims.

H. R. 6023. A bill for the relief of William Rogers; to the Committee on Claims.

By Mr. ANGELL:

H. R. 6024. A bill for the relief of R. Thomas Carter; to the Committee on Claims.

By Mr. CASE of South Dakota:

H. R. 6025. A bill granting a pension to Daniel Webster; to the Committee on Invalid Pensions.

By Mr. LELAND M. FORD:

H. R. 6026. A bill authorizing the President of the United States to present, in the name of Congress, a Medal of Honor to John Walker; to the Committee on Military Affairs.

H. R. 6027. A bill for the relief of Squire Estes; to the Committee on Military Affairs.

H. R. 6028. A bill for the relief of Edward H. Scott; to the Committee on Military Affairs.

By Mr. GERLACH:

H. R. 6029. A bill granting an increase of pension to Celia Marion; to the Committee on Pensions.

By Mr. GILLIE:

H. R. 6030. A bill for the relief of Russell B. Hendrix; to the Committee on Claims.

By Mr. MAGNUSON:

H. R. 6031. A bill for the relief of Edwin Stamp; to the Committee on Claims.

By Mr. O'NEAL:

H. R. 6032. A bill granting a pension to Carrie W. Warren; to the Committee on Invalid Pensions.

By Mr. REED of New York:

H. R. 6033. A bill granting an increase of pension to Emma Gurney; to the Committee on Invalid Pensions.

By Mr. SIROVICH:

H. R. 6034. A bill for the relief of Mira Friedberg (Mira Dworecka); to the Committee on immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2740. By Mr. ANGELL: Petition of the executive board of the Oregon State Federation of Labor, asking for an appropriation of sufficient funds to insure the completion of the investigation already begun by the La Follette Civil Liberties Committee; to the Committee on Appropriations.

2741. By Mr. CLASON: Memorial of the General Court of Massachusetts, favoring legislation to increase the amounts of old-age assistance payable by the Federal Government to States and their political subdivisions; to the Committee on Ways and Means.

2742. By Mr. LUTHER A. JOHNSON: Memorial of Margaret Sowell Foster, of Corpus Christi, Tex., favoring legislation to reduce the interest rate on Home Owners' Loan Corporation loans from 5 to 3 percent, declare a 2-year moratorium on foreclosures, and give borrowers 30 instead of 15 years to pay off the principal; to the Committee on Banking and Currency.

2743. By Mr. MUNDT: Petition of certain Indian citizens, asking Congress to remove the statue at the east entrance to the Capitol showing an unfair representation of an Indian about to kill an innocent white woman with a child in her arms; to the Committee on the Library.

2744. By Mr. PFEIFER: Petition of the Women's International League for Peace and Freedom, Santa Barbara, Calif., favoring the Nye-Clark-Bone bill or continuance of the present Neutrality Act; to the Committee on Foreign Affairs.

2745. Also, petition of the Richmond Fireproof Door Co., Brooklyn, N. Y., favoring the passage of House bill 4223, to extend the benefits of the civil service to special-delivery messengers; to the Committee on the Civil Service.

2746. Also, petition of the Hartford Branch of the Women's International League for Peace and Freedom, Wethersfield, Conn., urging support of the Nye-Clark-Bone bill or retaining the present Neutrality Act; to the Committee on Foreign Affairs.

2747. By Mr. POLK: Petition of Walter M. Corrill and 43 other residents of Loveland, Ohio, expressing their opposition to any amendment of the Wagner Labor Act, other than those proposed by Senator ROBERT WAGNER; to the Committee on Labor.

2748. By Mr. WOLCOTT: Petition of George S. Schanck and 50 others of Oregon Township, Mich., to stop the advertising campaign for the sale of alcoholic beverages by press and radio; to the Committee on Interstate and Foreign Commerce.

SENATE

THURSDAY, APRIL 27, 1939

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Deepen and quicken in us, O God, the sense of Thy presence and companionship, that in the strength of it we may walk as children of light. Open wide the windows of our spirits and the doors of our hearts that we may receive and welcome Thee as the Guest and Master of our lives.

Take our lips and speak through them; kindle our minds with thoughts of Thee; set our wills on fire to do Thy will and to serve Thy children; open our eyes and show us here an invisible world far better than we have dreamed of.